MANAGEMENT OF THE SAN GABRIEL VALLEY SUPERFUND SITES I–IV

HEARING

BEFORE THE

SUBCOMMITTEE ON ENVIRONMENT AND LABOR

OF THE

COMMITTEE ON SMALL BUSINESS
HOUSE OF REPRESENTATIVES

ONE HUNDRED FIRST CONGRESS

SECOND SESSION

BALDWIN PARK, CA, OCTOBER 30, 1990

Printed for the use of the Committee on Small Business

Serial No. 101-84

U.S. GOVERNMENT PRINTING OFFICE

35-987 WASHINGTON : 1991

For sale by the Superintendent of Documents, Congressional Sales Office
U.S. Government Printing Office, Washington, DC 20402

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MANAGEMENT OF THE SAN GABRIEL VALLEY SUPERFUND SITES I–IV

TUESDAY, OCTOBER 30, 1990

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON ENVIRONMENT AND LABOR,
COMMITTEE ON SMALL BUSINESS,
Washington, DC.

The subcommittee met, pursuant to notice, at 9:05 a.m., in the Baldwin Park city council chambers, Baldwin Park, CA, Hon. Esteban Edward Torres (chairman of the subcommittee) presiding.

Chairman TORRES. This hearing will now come to order. Thank you very much, ladies and gentlemen, for being here today. I would like especially to thank all of you for being so punctual and being with us at this hearing once again on a problem that we have in the San Gabriel Valley, a problem that is also descending into the Central Basin.

Today, I especially want to thank my friends, Luigi Vernola from the city of Norwalk and Bette Lowes, the Mayor of the City of Baldwin Park, who is our host for this very important meeting.

Of course, I want to also thank Councilman Bob Wagner from the city of Lakewood. I would ask at this time if the Mayor of the city of Baldwin Park would make a few statements. Ms. Lowes.

[Mr. Torres' opening statement may be found in the appendix.]

Ms. LOWES. Thank you, Congressman Torres. We are very happy and proud to have so many distinguished people and concerned people having this meeting here in Baldwin Park today. Baldwin Park is a city that has some wells that are closed down with contamination. We also have some of the purest water that you can find anywhere. It is very important to us, not only to be able to clean up the contaminated water, but to prevent future contamination of our very clear wells that we have left.

We appreciate everyone who is concerned with the water problem, and we certainly do welcome you here today. We hope we have a very productive meeting. Thank you, Congressman Torres.

Chairman TORRES. Thank you, Mayor, for those kind words. We are now awaiting people arriving. I am sure they will be seated.

I would like to first turn my attention to Congressman Mel Levine, who is here with us representing the west end of the County. Congressman Levine, you have the floor at this time.

Mr. LEVINE. Congressman Torres, thank you very much. I want to begin by complimenting you on holding this hearing. I know that it goes without saying here in your own congressional district what a marvelous job you do representing this community in Con-

gress on so many critical issues. I am very, very pleased that you are holding this hearing, and I am very pleased to be able to join you this morning.

I apologize that I will have to leave early because I had a prior commitment to introduce the person whom I hope and trust will be the next Governor of the State of California at 11 o'clock in Santa Monica and have to be out there at a quarter to 11. But I am very pleased to be able to join you at the outset.

I am also delighted that we are here with Sally Tanner who has done such marvelous work in the whole area of toxics, not just for this community, but for the entire State. Sally and I served together in the legislature. That was a privilege, and it is a privilege to be able to share the dais, the platform, with both of you who, on the legislative level, have provided so much leadership for this community, for the State, and the country.

I am very pleased also to be able to be here with Mayor Lowes and am delighted to be in such fine company this morning.

Mr. Chairman, there are few issues as important to Californians as water and virtually no time when water has been in greater demand in California. Because your focus this morning is on ground water, I wanted briefly to bring an innovative approach to ground water replenishment that is occurring in my own district to the attention of this committee.

For a long time now, the environmental community and forward thinking policymakers in California have recognized that we lose hundreds of millions of gallons of water to the ocean each day when the treated effluent from sewage facilities pours into the ocean. A small water retailer known as the West Basin Water District, as well as the city of Los Angeles, have proposed development of treatment facilities capable of cleansing this effluent to a point to which it can be reused.

An extraordinarily innovative head of the West Basin District, Rich Atwater, has developed a plan for a new treatment facility that will rescue 70 thousand acre feet per year or 62 million gallons per day of water from the outfall of the Hyperion Treatment Plant in Los Angeles, and after state-of-the-art treatment, make it available for industrial uses, irrigation of golf courses, and, possibly, ground water reinjection.

At the same time, the city of Los Angeles is in the initial stages of proposing utilization of an additional 50,000 acre-feet-per-year of water that already receives tertiary treatment at the Tillman Treatment Plant in the San Fernando Valley. The city would like to use this water for a recreational lake, power plant, and ground water replenishment through spreading grounds.

These two projects are "win, win." They will spare Santa Monica Bay from a sizable share of unnecessary pollution, and they will offer, in some cases, extensive treatment and provide a new source of water for the L.A. region. These two projects may well provide the water that is necessary to solve the longstanding battle over the Mono Lake diversions.

I want to take this opportunity in your hearing to applaud the aggressive, forward-thinking efforts of West Basin and Los Angeles to announce that I will be introducing legislation in the next session of the Congress to facilitate this plan, and to suggest that I

believe that their efforts hopefully might serve as a model for other cities in the west.

Again, Mr. Chairman, thank you very much for your leadership, for holding this hearing, and it is a pleasure to be able to be with you for part of this morning.

Chairman TORRES. Thank you, Representative Levine, for your comments, and I, too, want to commend you for the initiative that you have taken at your end of the county to begin to deal with this problem that is not only impacting, of course, the San Gabriel Valley, the Central Basin, but throughout Los Angeles County.

I would also like to inform our audience that we have other Members of the California delegation who are very interested in this whole subject area. Representative Howard Berman would have been with us this morning were it not that he also had a conflict in his schedule.

The other individual who wanted to be with us was Representative Glen Anderson, who is our neighbor to the south. Mr. Anderson has done a remarkable job also in monitoring this problem as it begins to impact on the Central Basin.

As you know, it is important to cite Mr. Levine, Mr. Berman, and Mr. Anderson as Members of Congress, as Members of the California congressional delegation who are very interested in this serious problem because it is they, along with myself and others, who will be working with Congress to begin to rectify the very serious problem. It is important to have their support in the House of Representatives in order to push through the kind of legislation and to find the funding that will begin to rectify this serious problem.

So, I thank them for their interest. Chairman Anderson has submitted a statement for the record. It will be entered in its entirety.

[Mr. Anderson's opening statement may be found in the appendix.]

Chairman TORRES. Speaking of the California delegation, of course, I would be remiss if I did not mention the California legislators, the persons who serve in Sacramento who also are seriously concerned about this.

Mr. Levine, in his opening comments, eluded to and made mention of the important work that Assemblywoman Tanner has been carrying out in the State legislature on this problem. Of course, I want to take this opportunity to publicly praise Assemblywoman Tanner for her unceasing efforts to resolve the contamination problems in the San Gabriel Valley water aquifer.

She is here with us today. She deserves our support and our thanks. At this time I am going to turn the microphone over to her for an opening statement. Assemblywoman Tanner.

Ms. TANNER. Thank you very much, Congressman Torres, and Congressman David Dreier, happy to see you, and Congressman Levine. He and I worked together many years ago in the Assembly. I was thrilled to see him here.

I have read and watched the kind of work that he has been doing in Congress. I have been very proud of him, and I am so glad you are here, and I am interested in the bill that you are discussing.

Our problem here is somewhat different. This ground water is drinking water, and so, in your bill, I hope you include treatment

facilities for the ground water here. I am sure that the Congressmen who represent our area will be absolutely supportive.

The reason I am here is I am honored and pleased that you are having this hearing. There is one thing that I want desperately to know and get resolved. It has to do with a policy, EPA policy, and I would like to have it resolved and questions answered.

Now, prior to a year or so ago, the policy was for the EPA to clean up the sites, or attempt to clean up sites, spend money on the clean-up, and then try to find responsible parties. Now, apparently, the policy has changed. The responsible parties must be found and money must go into where? That is the question I want the EPA to answer.

If responsible parties are found here, and if they are willing to pay, or there is litigation and money comes from those responsible parties, where does that money go? Does it go to the San Gabriel Valley to clean up the water or does it go into the big pot?

I have a feeling it is going to go into the big pot and that the San Gabriel Valley will continue not to be attended to. I feel very strongly about it. I am not happy about the change in policy. I think it is wrong, and I surely do not want the money that is received from the responsible parties here to go into a big pot and clean up something in South Carolina or New Jersey. That is just what I hope to find out, answers on those questions.

Thank you very much for allowing me to sit with you. I really appreciate it.

Chairman TORRES. Thank you, Ms. Tanner, for being here with us. As I said earlier, we owe you a debt of gratitude for the strong and courageous work that you are doing in Sacramento. You have kept this issue directly in front of the legislature for the past few years, and, for this, we owe you our thanks.

We are also joined by a Representative from Congress, Representative David Dreier, who also has taken time out to be with us here today. I think the presence of Members of the House and the Assembly speak to the nature of the concern that we have as elected officials about ground water contamination here in the valley.

So, without further ado, I would like to introduce to you Mr. David Dreier of the 30th Congressional District.

Mr. DREIER. Thank you very much. 33rd.

Chairman TORRES. 33rd.

Mr. DREIER. Thank you very much, Mr. Chairman. It is nice to be here with my colleagues, Messrs. Torres and Levine. Of course, what Sally Tanner just said, that she feels privileged to sit here, she is the one who is going to be responsible for drawing the legislative lines following this census. So, I should say that I am particularly privileged to have the opportunity to sit here with her.

It has been over 10 years since contamination was first found in the San Gabriel Valley ground water Basin, and it has been over 6 years since four ground water sites were placed on the Federal Superfund list. I am encouraged by the degree of cooperation that has existed between the Environmental Protection Agency, the Water Resources Control Board, and the various regional water agencies.

However, I believe that it is time to step up remediation and cleanup efforts to insure that vital drinking water supplies are protected. In addition, as the leading agency in the cleanup effort, I

believe that the Environmental Protection Agency should be more active in intervening against potentially new sources of contamination which will undermine the cleanup effort.

I am referring specifically to the Azusa landfill expansion and the proposal to add Fish Canyon as the site of a future landfill. Given the proximity of these sites to the ground water table and the fact that all landfills leak, the potential for ground water contamination is enormous.

It makes no sense to me whatsoever that the Environmental Protection Agency would invest millions of tax dollars to clean up ground water contamination in the San Gabriel Valley and then stand by and blindly watch that investment undermined by new sources of contamination.

I continue to urge the Environmental Protection Agency not to ignore these potential threats. In fact, I did that last summer in sending a very strong letter encouraging that they take a strong position on this issue.

I look forward to hearing from the witnesses today, Mr. Chairman, and welcome specific legislative recommendations, that those of us in Washington and in Sacramento can pursue to further facilitate the cleanup effort and, again, deal with the issue of insuring that we do not have future potential for contamination to come down the road.

Next year, we, in Congress, will reconsider the Safe Drinking Water Act along with a number of environmental protection laws, which, I believe, will offer an opportunity to improve the ground water situation in the San Gabriel Valley.

I should say that I am particularly pleased that the Congress has, in a bipartisan way, just passed the Clean Air Act, and the President of the United States has demonstrated his support for that, and there clearly is a commitment on the part of both Republicans and Democrats to address this issue.

But Sally Tanner is absolutely right when she talks about the concern that we have of our dollars being utilized in other parts of the country for problems so often out in this area. I am particularly pleased to see my friend, Mel, here in this area. The eastern suburbs of Los Angeles County are often ignored at the expense of other parts of Los Angeles County and other parts of Southern California.

I hope very much that this area, which has historically been the receptacle for all kinds of waste, will be able to benefit from these kinds of hearings and the kind of effort that we are putting together here so that we can have a comprehensive legislative package which will improve the quality of life for all.

Thank you very much, Mr. Chairman.

Chairman TORRES. Thank you, Mr. Dreier, for your very important statement. I would like to then now thank the Members of the dais for being here with us this morning. I want to move expeditiously now to the witnesses who we are about to hear from.

I would simply tell our witnesses, and all of the people testifying today, that we have your entire statements. We have received them. They will appear printed as such in the record in their entirety. I would only ask you to summarize your statements, keep it

down to about 5 minutes and that way we can get everybody who is going to be a witness here this morning on the record.

The first two persons who we will hear from are friends of the San Gabriel Valley. They represent the Central Basin to our south. This morning we have with us Mayor Luigi A. Vernola from the city of Norwalk, who will articulate the problems at that city in terms of ground water contamination, and we will also hear from Councilman Robert Wagner from the city of Lakewood.

At this time I turn the microphone over to Mayor Luigi Vernola for the city of Norwalk. Mr. Vernola.

TESTIMONY OF HON. LUIGI A. VERNOLA, MAYOR, CITY OF NORWALK, CALIFORNIA

Mr. VERNOLA. Thank you very much, Honorable Congressman Torres and fellow members of the Environmental and Labor Subcommittee.

Chairman TORRES. Mr. Vernola, could you pull that microphone up a little closer so we can hear you?

Mr. VERNOLA. As I stated, thank you for having me here today. I would like to address a technical plan and other water quality issues of considerable importance that face the city of Norwalk.

EPA's Basin-wide technical plan is a blueprint for a long-term program in this area to control and treat contamination in the valley. It is a multi-stage approach to remediation of contamination of ground water supplies in the area. There are two stages, the second of which is most critical to the city of Norwalk. In this plan, EPA proposes as the first priority to coordinate an effort to reactivate large extraction wells in the Azusa Baldwin Park area to remove contamination from the Basin before spreading further.

A lesser priority is to construct a barrier of extraction wells to prevent contamination in the Puente Valley area from spreading further and contaminating some of the most important production wells in the Basin.

The city of Norwalk feels strongly that a barrier of extraction wells should be established immediately at the mouth of the Puente Valley so that no more contamination will flow into our area through the Whittier Narrows. Norwalk supports the barrier wells as the first priority rather than the second as established in the EPA plan.

Second, Norwalk is working with other cities in the area to form a strong coalition to protect the water shed in this area. It is most important that the role of the Central Basin communities be expanded because of the impact on our local water supply. This coalition group is being established to insure that our efforts are focused toward the end goal, a protection of our water supplies from further contamination and to insure that our concerns are carefully evaluated by all parties throughout this overall remediation effort.

In summary, the city of Norwalk is in support of a Federal plan to address Basin-side ground water contamination. As a city that has taken the lead in bringing together a 10-city coalition representing over 1 million people, we feel that the first priority in the

plan should be the creation of barrier wells so that the water supplies of this coalition will be protected from further contamination.

We are committed to mobilization of joint effort to insure the protection of the Basin's ground water supplies. We respectfully request your support of this coalition so we may proceed to effect and reset goals. I am pleased to be here today to discuss these critical issues on behalf of the city of Norwalk.

I might add, in closing, that the remediation plan calls for a $72-million expenditure. The operation of containment at the mouth of the Puente Valley is about $21 million. We must always keep in mind though, if we do not address the issue of containment at the mouth of the Puente Valley, that contamination in a few years will reach the southern cities in the Basin. The cost to remediate that problem will be even more than $72 million.

We must always keep in mind that we are dealing with people's lives and the lives of the future of those babies who are being born. I want to thank you again for having me here today, and I hope that your efforts will prove fruitful. Thank you.

[Mr. Vernola's statement may be found in the appendix.]

Chairman TORRES. Thank you, Mayor Luigi Vernola, for a very fine statement. We will go immediately to your colleague, Councilman Robert Wagner from Lakewood.

TESTIMONY OF HON. ROBERT G. WAGNER, VICE MAYOR, CITY OF LAKEWOOD, CALIFORNIA

Mr. WAGNER. Thank you. I am Robert Wagner, Vice Mayor of Lakewood and a resident of the Central Ground Water Basin. Today's hearing focuses on Superfund sites in the San Gabriel Valley and the extent of ground water pollution in the San Gabriel Basin. However, these two regions are really inseparable.

The Central Basin extends from the Whittier Narrows in the north to Long Beach in the south and includes 27 Los Angeles County cities and unincorporated areas. Years of illegal dumping by unscrupulous industries and the lack of coordination among regional water agencies has led to temporary closing of wells in Southgate, Downey, Norwalk, and other Central Basin cities as a result of pollution in the waters.

The well closures deliver a clear warning to us. Today, the Central Basin cities are working together to protect our ground water resources from a shameful legacy of industrial and agricultural pollution.

Item one, the cities of Norwalk and Lakewood have formed an environmentalist coalition with 21 other cities in the Central Basin to address the local contamination threat.

Item two, coalition cities are now forming a technical advisory panel to review the extent of local contamination as well as proposals to stop the spread of ground water pollution from sources outside the Central Basin.

Item three, nearly 20 cities in the Central Basin have joined Lakewood and Norwalk in a call for greater coordination between the Basin's two water agencies. Duplication of effort and fragmented authority have left the Central Basin with a history of missed opportunities to take action on water quality issues.

Item four, the California legislature has already given the Central and West Basin Water Replenishment District broad authority to begin water cleanup activities. The cost for these measures would be levied on Central Basin water purveyors and could reach $5 million a year.

In short, the cities of the Central Basin are working actively to improve the situation. We are, however, waiting too long. Well beyond our limited resources looms the single greatest threats to the quality of Central Basin water, the polluted San Gabriel ground water Basin.

The plume is pointed like a gun at the Central Basin. In August, Congressman Glen Anderson responded to Lakewood's request that the EPA provide its first ever briefing for Central Basin cities on the contamination and threat of pollution from the San Gabriel Basin.

During the briefing, EPA officials, including some of those at this hearing, admitted that, one, contaminants from the San Gabriel Basin are already flowing into Central Basin aquifers and some shallow aquifers may now be contaminated.

Two, nothing will limit the flow of contaminants into the Central Basin except the construction of the Whittier Narrows unit which the EPA proposes to build in the San Gabriel Valley.

Three, the EPA's initial request for development funds to build another unit further downstream to limit the migration of contaminants into the Central Basin is at least 2 years away. We simply cannot wait longer to resolve this problem or to begin to work to clean up the problem and prevent it from moving into the Basin.

I am proposing an action plan for water protection in the Central Basin. The Central Basin cities are working together on measures to protect ground water quality within the Basin. The efforts will require more effective coordination among regional agencies which we are working on. But local efforts are only part of a much larger effort that is required.

The Central Basin cities urge you to consider a realistic action plan for ground water protection. One, we ask that you request that the EPA formally recognize the coalition of Central Basin cities led by Lakewood and Norwalk and include member cities in the agency's deliberations on ground water contamination and pollution litigation measures.

Two, we ask that you assist the technical committee of the Central Basin coalition in gaining access to EPA data to review the agency's analysis of the ground water contamination threat. Our concern is that some of the assumptions that are contained within these documents underestimate the potential for problems in the Central Basin. In particular, since they are dealing with drought year data, we are concerned that there is not enough emphasis in this area.

Three, we ask Congress to open new channels of communication between cities and the EPA. To prevent the start of an adversarial relationship, EPA and Central Basin representatives should meet regularly and should work together in resolving this problem.

Finally, the members of the subcommittee will have the opportunity next year to give new direction to ground water protection in legislation to reauthorize the Federal Safe Drinking Water Act.

The new Safe Drinking Water Act should give priority to ground water protection and to containing the movement of contaminated ground water into Basins like the Central Ground Water Basin where pure, clean water flows. If it ever reaches the Basin, it is simply impossible to estimate what it would cost to clean up that.

In concluding my presentation, I would like to express my appreciation to the elected officials of the San Gabriel Valley who have lived with the reality of ground water pollution for more than a decade and who have tested their leadership in the difficult task of addressing this problem. I would also like to acknowledge the leadership shown by Mayor Vernola and the city of Norwalk in their efforts to protect the quality of our region's ground water resources. I want to thank Congressman Torres and the committee for the opportunity to be here today. Thank you.

[Mr. Wagner's statement may be found in the appendix.]

Chairman TORRES. Thank you, Mr. Wagner, for a very excellent statement. We are indebted to the two of you for being here this morning to make sure that the committee and that the audience who is present here, many of whom are EPA officials, are cognizant of the problem that you are having. I think that in your wisdom you sought to coalesce the cities in the Central Basin to begin to deal now, at this time, with this very serious problem.

I wish that perhaps in the past we would have had the foresight to also coalesce the various cities in our San Gabriel Valley. We are together now, and we are confronting the issue. I think it is timely that you have taken notice of the problem as it is up here, upstream, so to speak, and you are beginning to mobilize.

I want to congratulate the city of Norwalk and the city of Lakewood for taking the leadership and forming this multicity coalition. To be sure, we are going to take your recommendations to heart. We believe in the action plan that you have formulated. We have the EPA officials here, as I said, today with us. I invite you to stay here a little longer when they will testify and you can also make your comments known to them.

So, I want to thank you.

Mr. WAGNER. Thank you very much.

Mr. VERNOLA. Thank you.

Chairman TORRES. I am sure that many of you here are saying today, "Well, so what now? We have had a number of these hearings in the past, but so what else is new? What does the committee, and what does EPA, and what do some of the witnesses have to say today that is new?"

The subcommittee is really interested in an explanation as to what the future holds. I, for one, and I am sure I speak for my colleagues here, am tired of hearing the excuse that it is going to take a few more studies, perhaps a few more years of studies to complete a proposal, that will then take a few more years to design, in order to begin to build a new treatment facility that will finally begin to provide safe drinking water for the people of the San Gabriel Valley.

It just seems that this process moves so slowly. I would like to make it very clear to the witnesses who are going to testify today that I am really tired of bureaucratic delays in getting the cleanup

project off the ground. That is really what we are all about at this point, getting the cleanup project off the ground.

So far, I have been patient. We have been patient, perhaps too patient. All I can see that has been accomplished by all of the State and Federal agencies responsible for the cleanup is this construction out here of the Richmond Treatment System and the possible identification of some of the responsible parties in the Baldwin Park/Azusa area.

Aside from that, I see an awful lot of money being spent on studies and consultants, millions of dollars on studies and consultants, and right now I feel that the Federal and State agencies responsible for the cleanup are simply not doing enough.

First and foremost today, I would like EPA, who is here today, to convince this subcommittee that they are, in fact, doing all that they can to resolve the contamination problem in the San Gabriel Valley. That is what I want to hear today. Our next witness, I trust, will be able to do this.

Now, I am going to call Mr. Jeff Zelikson to come to the witness table and give us his presentation. Mr. Zelikson is going to be joined by Neil Ziemba, who is EPA's project manager for the San Gabriel Valley Superfund sites.

As I told the members of the subcommittee earlier, we want to limit the witness statements to about a 5-minute summary. I would like Mr. Zelikson, and I am going to make a special exception for him, to give us as much time as he needs to be able to frame for us some of the solutions, if they are there, about EPA's plans and activities for the future.

The other witnesses, of course, I will ask you to keep your statements down to 5 minutes, but I want Mr. Zelikson to take all the time that he needs. I had originally invited Mr. McGovern, the Regional Director of EPA, to be here with us today. Mr. McGovern said, "Look, I have a terrible bad schedule. I have the whole Pacific area, the Pacific Islands, Hawaii, Alaska, the whole west coast to take care of, and I just cannot get down to Baldwin Park today."

"Besides that", he said, "I am just a policy director. I really am not a technician." "Jeff Zelikson," he said, "is the technician. He is the man you want down there, providing the answers for this problem." So, Mr. Zelikson, here you are, and I hope that you will have some of those answers that we are seeking today. Thank you.

Mr. Zelikson, you may proceed, sir.

TESTIMONY OF JEFF ZELIKSON, DIRECTOR, HAZARDOUS WASTE MANAGEMENT DIVISION, ENVIRONMENTAL PROTECTION AGENCY, ACCOMPANIED BY NEIL ZIEMBA, SENIOR PROJECT MANAGER

Mr. ZELIKSON. Good morning, Mr. Chairman and Mayor, Congressmen. Thank you for the special treatment, if you will, giving me all of the time that I need to be as convincing as I can to you that EPA is doing all that it can to deal with this problem in the San Gabriel Valley.

I am personally convinced that is the case, and I think that between what I present, and in response to questions that no doubt

we will have, I think that I will also be convincing to you that, in fact, we are doing everything that we can.

Just a bit of background on myself, I also have responsibilities for all of the hazardous waste activities for EPA's Western Regional Office, which include California, Arizona, Nevada, Hawaii, and Pacific Islands. I think that may become relevant as we speak about some of the issues of managing all of these problems throughout the Western Region.

But I have submitted detailed testimony for the record, and I am going to summarize. I appreciate the opportunity to take more than 5 minutes. I hope I will not take too much more and leave a lot time for questions.

Chairman TORRES. Mr. Zelikson, if you will please endure for a minute. It seems we are having a problem with the microphones and you are not really being heard in the audience. I think that is really critical to many of our audience participants. Could we just see if we could rectify this problem.

[Short recess.]

Chairman TORRES. Thank you for your kind indulgence, everybody. You may proceed, Mr. Zelikson.

Mr. ZELIKSON. Since last June, I believe, where we had an occasion to meet like this at another hearing that you sponsored, Congressman Torres, I think we have made significant progress in dealing with this problem. Let me outline some of the things that I think are most important.

One of our major efforts has been the preparation and completion of the San Gabriel Basin-wide technical plan which was released to the public for review and comment in April 1990. This Basin-wide plan was that blueprint that you referred to before, which lays out a long-term program to manage this extensive ground water contamination problem in the San Gabriel Valley.

It will guide our future investigations, remedial actions, and source investigations over the course of the next several decades. The release of the Basin-wide technical plan was accompanied by a white paper which we coauthored with the State Water Resources Control Board and the Los Angeles Regional Water Quality Control Board.

That describes the institutional and financial issues of concern in really coming to grips with the implementation of any remedies that we come to identify here in the San Gabriel Valley.

Let me summarize some of what was in that technical plan very briefly, particularly that which deals with, again, the scope of that problem. I think we have to keep reminding ourselves about the scope of this problem. One, the ground water contamination in the valley, as you know, is widespread. It covers more than 30 square miles and approximately one-quarter of the Basin's 250 water supply wells have been contaminated with volatile organic compounds.

We also know that unless we begin cleanup actions that this contamination will spread further, and it is possible that if, in fact, we do not stem the tide of the spread of this contamination, another 55 to 70 wells could become contaminated over the next 20 years.

But remediation, as much as I do not like to say and as much as you do not like to hear it, the physical reality of this problem dic-

tates that remediation will take decades. We need to understand that there is no quick fix to the contamination problems here in the San Gabriel Valley.

We also outlined in this technical plan and white paper that we need a more active water quality management program in the valley to insure that water supply decisions made by water suppliers in the Basin will contribute to and improve the Basin's water quality. The white paper recommendations specifically address themselves to some of the needs in that area.

We also want to underscore and did underscore in the white paper and technical plan that the U.S. Environmental Protection Agency cannot solve this problem alone. Even if we had all the money that we could get our hands on, and that is an issue we will talk about further, we will require the cooperation of State, and local, and regional water agencies in order to implement the remedies in the valley.

As we have gone through and identified what projects we should be working on, we have kept certain things in mind as priorities. One, and I think I should just interject this point, is nobody in the San Gabriel Valley is drinking water that has levels of contamination that exceed the drinking water standards. I think it is important we all remind ourselves of that. We want to make sure that continues.

So, our first objective is to maintain quality of drinking water for people so that public health is protected. We also want to be sure that we have an adequate supply of that water, that we want to protect the aquifer, that we want to control the spread of contamination, and then, to the extent that we can, we want to remove that contamination. These are the criteria that we have used in determining which projects to move forward with on a priority basis.

We think that through the selection of the projects that we have made so far, that, in fact, we have adhered to those criteria. We are protecting the public's health, and we are doing what we can to provide adequate water supply for the valley.

Let me mention some more specifics that I hope will be convincing to you as they are to me and that is that we are now moving into a second phase of our activity and we are focusing in Baldwin Park/Azusa area for our next major cleanup project. In looking at this whole area, which is extraordinarily large, if we were to do a complete investigation it would take several years and millions of dollars to complete, and we and you are anxious to proceed to getting facilities in place.

So, we have devised a strategy which has a more limited investigation which will allow us to proceed to the construction of a project in a much more expeditious fashion. We are going to begin that investigation immediately, and, as a result of that investigation, we will develop a plan for, or specific engineering proposal to deal with the cleanup in the Baldwin Park/Azusa area.

That particular project will result in drinking water available that meets the drinking water standards for over 100,000 residents in the San Gabriel Valley when it is completed. As I mentioned, we plan to fund the work associated with the investigation and the engineering studies, but, at this point in time, we would be looking to private parties to do the actual construction of that project. It gets

to the concern that Assemblywoman Tanner raised about whether that is a change in EPA policy, and we can deal with that in the questions.

Let me mention another issue that has come up and that is the Watermaster plan. As I previously stated, a coordinated Federal, State, and local effort will be necessary to deal with the problems in this valley. EPA has been working with the State Water Resources Control Board, and the Regional Water Quality Control Board, and other State and local agencies to establish such an effort.

The main San Gabriel Basin Watermaster has prepared a technical plan for ground water cleanup. The focus of the Watermaster's plan is on the short-term installation of individual well head treatment facilities on existing wells that have been deactivated in the Baldwin Park/Azusa area of the valley, and 11 wells in this area are identified as candidates for treatment projects that would initiate the removal of contaminants in a timely and cost-effective manner. Construction of the entire list of these projects would certainly have the potential to remove large amounts of contamination.

However, a key issue remains; what is the source of funding for those projects? The answer to that is still unknown. The Watermaster technical plan is generally consistent with EPA's technical Basin-wide plan, and in the white paper it was noted that cleanup would be enhanced if State or local funding could be found to initiate some of these activities prior to EPA and the regional board identifying the private parties who are responsible for creating that contamination.

It would be a very positive development if one or more of the projects identified by the Watermaster could be implemented with this State or local funding prior to EPA's feasibility study work being complete. The Watermaster well head treatment projects would, however, be expected to have somewhat less effect on controlling the spread of contamination than the Baldwin Park project that I just described earlier.

The real difference between the Watermaster technical plan and the EPA technical plan is the overall focus and scope of the plans. The Watermaster plan is primarily a short-term plan that focuses on quickly initiating removal of large amounts of contamination in the Baldwin Park area. In contrast, the EPA plan is a comprehensive long-term approach toward meeting the objectives of controlling the migration of the contamination and removing it.

But let me add here that there is nothing wrong with the Watermaster plan. I think we should realize that, to the extent that we can get projects underway with other sources of funding, that would be an enhancement to the overall effort.

Chairman TORRES. Mr. Zelikson.

Ms. TANNER. I do not really understand the difference. You are saying it is a good plan; it is a plan that will work, but what is the difference in the plan that you are talking about and the Watermaster's plan? I do not follow you at all.

Mr. ZELIKSON. The Watermaster's plan — —

Ms. TANNER. Did you say you are going to just keep the plume from entering into another basin; is that what your plan is?

Mr. ZELIKSON. Our plan focuses not only on taking some of these short-term actions to begin to remove the contaminants immediately and provide clean drinking water for people. That part is the same as — what is different is we also are concerned about wanting to be sure that the migration of the contamination is controlled in a way so that it does not create problems for other wells, and then we also want to focus on removing the maximum amount of contamination within the whole basin.

Ms. TANNER. So, you are concerned about water management as well as cleaning — —

Mr. ZELIKSON. Yes.

Ms. TANNER. OK.

Mr. ZELIKSON. Exactly. Let me mention a few other things here.

Chairman TORRES. Mr. Zelikson, if you will also permit me, perhaps Mr. Dreier may have a question. He has a pressing schedule where he has to leave a little earlier.

Mr. DREIER. No; go right ahead and let him finish, and I will ask a couple of questions.

Mr. ZELIKSON. Thanks. I wanted to mention a few other things that we have done in the last year that I think are important. You already mentioned the Richwood project which is providing drinking water for a small community. The Suburban water project is one that is down the track in terms of the cleanup pipeline. We are past the 30-percent design point in that project. When that project is complete, which the design of it will be complete in the spring of 1991 and construction will begin, it will serve 50,000 residents with clean drinking water. That is a significant piece of accomplishment that we can look forward to.

The Whittier Narrows project, which was the concern of the first panel of the two mayors, we are very concerned about that issue as well. We are coming in with our engineering studies to describe the solution to that problem, the specific solution to that problem. We expect to have that in the spring also of 1991, and that project will serve another 50,000 residents with clean drinking water. So, we are now up to over 100,000 residents in the pipeline for cleanup that would be served clean drinking water.

The Baldwin Park project, that I described before, would have the potential to serve 100,000 people with clean drinking water. So, the projects that we have launched, and admittedly we would like to move them more quickly, but we are moving them as quickly as we can, represent clean drinking water for over 200,000 people in the Basin. I think that is real progress.

The other thing that we have been focusing on, which is who is going to pay? I know that is a concern that you have and that we have, and our ability to identify those who created the problem so that they can, in fact, step up to the line and pay the bill is a big part of what we have been doing in the past year.

We have been working very closely with the regional board. We have been funding them to do these source investigations. The source investigations do two things. One, they get at the problem of the contamination that is in the upper aquifer in the ground and begin to clean that up. But they also begin to identify those who are responsible for the contamination that is in the regional aquifer.

As of this month, 238 facilities have had confirmed soil contaminations onsite by the regional board efforts. There are 179 ground water investigations underway. Over the last several months, we have sent out general notice letters, which is the first indication to private parties that we think that they are responsible for the contamination. We expect that over 100 additional notice letters will be sent out in the next several months. So, we will have over 200 people who we are beginning to identify as those who should be paying this bill.

We are also focusing heavily in the Azusa/Irwindale study area, which is a cluster of companies that are, we think, responsible for the contamination in that area. We expect to be compelling them to do not only the cleanup work, but some of the investigative work in that portion of the valley.

We expect that by the time the proposed plan for this Baldwin Park project has developed that we will have sufficient information on who might be responsible, to make them pay up front for the remediation in Baldwin Park.

So, I think, between the completion of the Richwood project, between the fact that we have the Suburban project and the Whittier Narrows project on line, that we have this major Baldwin Park project that is launched, that our enforcement efforts continue, that given the resources that EPA has at its disposal, that we are doing everything that we possibly can to deal with this problem.

I think one of the things that I feel very good about this year is, we have really increased the dialogue about the management of the ground water system here in the valley. People are in controversy and are in concern, but I think it is good. I think people are trying to struggle with how this has to work in the long run. So, I think we have made progress in all of those areas.

But let me say, too, that I am frustrated that I cannot do more, and that comes down to us competing with not only other parts of the country, but even within our own region, for funds that we have available to us. We have increased significantly the number of project managers we have in San Gabriel. We now have three times as many. There are six project managers for the various projects in San Gabriel. Neil Ziemba is our Senior Project Manager. We had two the last time we spoke.

We probably need 20. What I would like to say is I could say that we are doing what the world would be able to provide for us to do in this case. But with the resources that we have available to us, we are doing everything we can, and I think we are making real progress. Thank you very much.

[Mr. Zelikson's statement may be found in the appendix.]

Chairman TORRES. Thank you, Mr. Zelikson, for your comments. At this time, I am going to yield to my colleague, Mr. Dreier, to ask the first questions in that he has a schedule to meet. David.

Mr. DREIER. Thank you very much, Mr. Chairman. First let me say, I failed in my opening statement to thank Mayor Lowes for opening her chamber to both Federal and State officials, and so, I would like to express my appreciation to the city of Baldwin Park for very kindly having us in. Thank you.

I would like to ask a couple of questions, Mr. Zelikson, just following up on some of the specifics that you raised. You said that

there will be 100 and maybe 200 probable liability notices that will be going out. Since this is a subcommittee of the Small Business Committee, I wondered if you could tell us how many of those will be small businesses that will be on the probable liability notice list.

Mr. ZELIKSON. I do not have an exact number for you, Congressman, but several I would think. One of the problems with ground water contamination issues is a small amount of solvent can contaminate a large amount of ground water. So, there is not an absolute correlation between the size of a company and the kind of problem they create. It is really more related to how diligent they were in managing any of the waste materials that they dealt with.

So, there will be small businesses on that list, but I do not know the exact number.

Mr. DREIER. Assuming that they are found liable, do you have any idea what percentage of the cost a small business could be expected to pay without bankrupting the firm?

Mr. ZELIKSON. No; there is no doubt that the cost associated even with just the investigations can be very significant and can be a major impact on small firms. But, as I said, the whole issue of allocating responsibilities for contamination is a can of worms that we generally leave to the group of people who are, collectively, responsible to work out amongst themselves.

Mr. DREIER. Do you have any idea, as you look down the road, and maybe Mr. McGovern, as the policy person, might be the one to address this question to, but what the long-term, over say a 20-year period, cost of both remediation and the cleanup efforts could conceivably be? If we look at where the Superfund Program is today and those of us in the Congress who have dealt with this, Congressman Torres and I, have strongly supported the Superfund legislation, as we look around the country and see cleanup efforts going on, we continue to see this depletion of the fund, upside down, like a lot of other Federal programs that we have. But I wonder if you have any idea about, first of all, what that cost over a 20-year period would be and, second, what percentage of that the EPA would be expected to cover?

Mr. ZELIKSON. We did a rough estimate early on as we laid out the issues in the valley, and we came up with about $400 million in costs, about half of which would be long-term operating costs. So, $10 million dollars a year for 20 years would be $200 million operating cost; $200 million would be capital cost.

EPA has laid out somewhere over $15 million so far. We fully expect to get that money back from those who created the problem, and we expect that in the future that the private parties will pick up the full tab here. There is enough people responsible for this problem that I would expect, when all of the accounting is complete, EPA will spend nothing here in the valley.

Mr. DREIER. So, we do not have really any kind of dollar figure that will be coming.

Mr. ZELIKSON. Well, you mean the EPA's?

Mr. DREIER. Yes.

Mr. ZELIKSON. Very small. I mean, if it is $400 million, I would say 5 percent of allocation in terms of the budget.

Mr. DREIER. The witnesses who testified a few moments ago, obviously, were demonstrating specific concern about the Central

Basin. Obviously, in Lakewood and Norwalk they feel that we really have to do something to protect them from the threat that they face. I wonder if that has in anyway been brought into the mix of the questions that you have posed to them. Obviously, our attention, the attention of Congressman Torres, Assemblywoman Tanner, and I is primarily on this valley, but I wonder if, as you look at the overall picture, you have taken concerns that relate to the Central Basin and to the mix on this whole package.

Mr. ZELIKSON. Absolutely. As a matter of fact, that was somewhat of an issue when we met last time here, last year, because the focus was naturally here in this Basin. There was some concern that we were focusing too much of our efforts to protect the Central Basin. But, in fact, what we are trying to do is look at the whole area. We have been, from the very beginning, concerned about the spread of the contamination into the Central Basin, because as the first witnesses outlined, if that were to occur, the future cost associated to try to deal with that contamination would be enormous.

So, from the very beginning, we identified this Whittier Narrows project, which is a project that is basically a barrier-type of project, that would prevent that contamination from moving into the valley. While there may be some small amounts of that contamination that have moved in, I think we are still OK in terms of our schedule if we get that project built to prevent any significant problems in the Central Basin.

We are completely concerned, as the first witnesses were, about that.

Mr. DREIER. Mr. Chairman, it is very appropriate. I am leaving here to go speak to a high school in Diamond Bar. When I think about these young people I am going to see, there is no doubt that insuring that ground water contamination is something that we take care of, and it is a priority. I appreciate being invited to participate here today and look forward to working closely with you.

I was not particularly pleased at the response that I got on the letter that I sent concerning the Azusa question, but I hope that we will see a stronger position taken as we deal with these issues down the road. Thanks again to you, Mayor Lowes, and to Assemblywoman Tanner, and to all of you who are here today.

Chairman TORRES. Thank you, Mr. Dreier. I really appreciate your having made this effort to be with us today. I know you are a member of the Committee on Small Business. You are not a member specifically of this subcommittee but we deal with the same problems. I am sure that, with your greater understanding of this problem, it is going to help us in the future in terms of our legislative efforts. So, once again, thank you.

Ms. Tanner, with your kind indulgence perhaps we could go over to Mr. Matthews and hear from him, unless you have some immediate questions for Mr. Zelikson.

Ms. TANNER. Well, I do have questions, but we can move on. Before they leave, though, I would like to ask some questions.

Chairman TORRES. Oh, yes; indeed. I just thought we would go to Mr. Matthews at this point.

Ms. TANNER. Sure, fine.

Chairman TORRES. He is here, in large part I would gather, to support EPA's function. Mr. Matthews is with the Water Resources Control Board. Perhaps, after having heard you, we can then ask questions of both of you. So, why do you not proceed, sir?

TESTIMONY OF ARCHIE MATTHEWS, CHIEF, REGULATORY SUPPORT UNIT, DIVISION OF WATER QUALITY AND WATER RIGHTS, STATE WATER RESOURCES CONTROL BOARD

Mr. MATTHEWS. Good morning, Chairman Torres and the subcommittee members. I am Archie Matthews of the State Water Resources Control Board. On behalf of the State board members, I thank you for the opportunity to testify before your subcommittee regarding the ground water contamination in the San Gabriel Basin.

Congressman Torres, your September 27 invitation letter to Mr. Maughan asks that we discuss the two technical plans developed to implement cleanup of the Basin. However, since Mr. Zelikson has already done that, I believe I would like to just skip that part of the testimony. It is in the record.

Chairman TORRES. All right, without objection, so ordered.

Mr. MATTHEWS. We were also asked to comment on the implementation of phase 2 cleanup as discussed on our April 17, 1990, white paper, which the State board, the EPA, and the regional board issued jointly.

The Watermaster has petitioned the Los Angeles County Superior Court to expand its authority to regulate pumping in the Basin. We think that is key to effecting the cleanup here. This authority should provide the Watermaster, working in cooperation with the Joint Powers Authority, with the necessary powers to implement the cleanup.

However, this expanded authority has not yet been granted by the court. Should the requested authority be granted, the Watermaster and the Joint Powers Authority should be given a reasonable amount of time to demonstrate their commitment and ability to implement cleanup in the Basin. However, should the court not grant the authority to the Watermaster, then the State board is inclined to support new legislation to establish a single local lead agency to effect cleanup.

In addition, we think two possible changes in State law could assist in cleanup. The first change would amend the Municipal Water District Act to provide that such districts are empowered to regulate the extraction of ground water to protect water quality, to implement judicial decrees regulating the use of surface and ground water, and to charge pumpers for the cost of administering both those first two options.

The second change in State law that we think would be advisable would encourage good citizen parties to contribute voluntarily upfront resources for cleanup by providing the potentially responsible parties to contribute money to Government for cleanup of contaminants with no admission of liability.

Contributed money could be used as an offset against governmental actions wherein the contributor is found to be liable for the cost of contaminant cleanup. At this time persons who might want to

voluntarily mitigate current problems have no assurance that their contributions could be used to offset any future claims. This change would provide for such an offset mechanism. In addition, Federal Superfund law might also have to be amended to accommodate such a change.

The last question we were asked to discuss concerns the funding schedule for cleanup implementation. The State board has recently allocated nearly $3 million dollars in financial assistance to the Joint Powers Authority to design, construct, and operate a treatment plant in the most contaminated area in the Basin. We have also learned that the Governor signed Assembly bill 3061 into law last month, which will provide $1.1 million for additional treatment plants in the Basin.

Chairman TORRES. Mr. Matthews, it is important for you to cite what is the most contaminated area in the Basin.

Mr. MATTHEWS. The Azusa/Baldwin Park area.

Chairman TORRES. Thank you.

Mr. MATTHEWS. We envision that future funding for cleanup activities will have to be met from a variety of sources. In addition to State and Federal loans and grants, responsible parties must become an increasing part of the financial solution.

The problem is one of timing. Over $100 million must be obtained to implement stage two of EPA's Basin-wide technical plan over the next few years. EPA is currently augmenting the budget of the Los Angeles Regional Board by $1 million annually to identify these responsible parties.

Another possible source of funding is Assembly bill 1312 which is now an initiative, Proposition 148 on the November 6 ballot. This Water Act of 1990 would provide for $60 million in loans or grants for design and construction of projects deemed eligible by the Department of Health Services for public water systems to meet safe drinking water standards. This initiative would also provide $20 million to the State board for ground water treatment facilities with preference to projects that treat ground water containing agricultural chemicals.

Projects designed to treat San Gabriel ground waters containing nitrates could be eligible for this potential funding. The State board also administers the Federal Clean Water Act State Revolving Fund which provides low-interest loans to remediate nonpoint source contamination. We envision that up to $5 million per year might be made available for San Gabriel projects from this source.

The State board will consider future proposals as additional revenues become available. Other recently passed legislation, Senate bill 2061, could provide a model for local funding. This bill, which is effective January 1, 1991, expands the existing authority of a water replenishment district to levy a water replenishment assessment and authorizes the raising of funds up to 50 percent of the average assessment levied over the past 5 years to remove contaminants from ground water supplies in the district.

The bill also authorizes the district to recover costs incurred for those purposes from responsible persons. Firm sources of cash, including local assessment, are absolutely essential to support an active cleanup program. The importance of such funds is recognized in the October 4, 1990, Mission Statement of the Joint

Powers Authority which states, "In the long term, capital and operating costs will have to be incurred to accomplish cleanup objectives. The cost will far exceed the ability of local consumers to pay, although it seems inevitable that some portion of the cost will be borne locally."

On behalf of the State board, I thank you for the opportunity to comment at this hearing.

[Mr. Matthews' statement may be found in the appendix.]

Chairman TORRES. Thank you very much, Mr. Matthews. At this time, I would like to ask Assemblywoman Tanner to raise some questions for both of you if she wishes to do so. Ms. Tanner.

Ms. TANNER. Thank you very much, Congressman Torres. The question that I asked early on about the policy being changed from cleaning up after responsible parties pay what they might owe or after litigation, is that still the policy? We are not going to spend Federal money until the responsible parties' money comes forward; is that — —

Mr. ZELIKSON. Let me just, if I can go back and give you just a minute on the evolution of how that is run. Initially, with somewhat fewer projects and somewhat more money available in the Superfund, there was more potential for spending money up front, then seeking the repayment from responsible parties later.

As the number of projects in the pipeline has increased and the availability of the funds hasn't kept pace with that, there is just an enormous number of projects that require money. We have shifted, and I think successfully, to require responsible parties to come up to the line first and pay in the first instance.

Now, that is basically where we are not, and that does not preclude emergency situations or in situations where it is inappropriate to wait. Because you have some community that has no other source of supply, like Richwood for example, we, in fact, spent the money up front. We will continue to do that for needy projects.

Ms. TANNER. That money was allocated a number of years ago, yes.

Mr. ZELIKSON. Yes.

Ms. TANNER. The sites here in the San Gabriel Valley are what? Is it five sites?

Mr. ZELIKSON. It is actually officially four, but — —

Ms. TANNER. Four, OK. They were on the Superfund. They have been on the Superfund list for 10 years or so. So, it seems to me they should take priority over sites that are being discovered now. I really disagree with the new policy of finding the responsible party first. I believe the money should be upfront to clean up the sites.

But now, answer this question: Is the money, is the responsible parties' money, those parties responsible for contaminating the sites here in the San Gabriel Valley, and the money that comes from those responsible parties, does that money stay in the San Gabriel Valley?

Mr. ZELIKSON. I think the simple answer to that is, yes; and the mechanism for it would have to be worked out.

Ms. TANNER. What do you mean "would have to be worked out"? Does that money stay here?

Mr. ZELIKSON. Yes.

Ms. TANNER. What do you mean "it would have to be worked out"?

Mr. ZELIKSON. Let me see if I can explain it. Maybe I am making it more complicated than it needs to be. The simple answer is, yes.

Ms. TANNER. Well, then we have been given other answers before. We have been given an answer that, "No; not necessarily. The law did not require that money stay where the responsible parties were paying."

Mr. ZELIKSON. Let us say in a particular project, that if we spent money or if the money came from some State source or other source to do the cleanup and then we subsequently identified people in the valley who were responsible for that, those who brought them to task, whether it would be the State Government to get its money back or local agencies, would be joined by EPA to allocate the money, in fact, to those people who spent the money up front. There are provisions in the Superfund law that allow for that, provide for others to recoup funds that they spend to deal with a problem rather than wait out all the time it takes to figure out who owes who what, so to speak.

But there is enough precedent to say that money would, in fact, come back and be repaid to those who spent it upfront to deal with the problem.

Ms. TANNER. So, you are saying you can still spend the money upfront and recoup from the responsible parties.

Mr. ZELIKSON. Absolutely; yes.

Ms. TANNER. Well, then that is what you plan on doing, I hope, spending the money upfront and then recouping that money from responsible parties.

Mr. ZELIKSON. Right, to the extent that there is money available to us, we will do that. I think what I would like to recommend to the panel, and it is probably particularly important in terms of the State legislature, is to consider the reality of the competing projects nationwide for the available money and the fact that San Gabriel will not get enough money to make us all feel like it is moving along at the pace we would like.

The State ought to consider making some other money available upfront, I think, with the understanding that that -- —

Ms. TANNER. We have and we are.

Mr. ZELIKSON. Yes; and I appreciate that, but to the extent that it would even do that more, I think, it would be with the assurance that in the long run that money would be repaid by the responsible parties.

Ms. TANNER. Yes; I think the State needs to participate even more than what we have been doing. We have been struggling for every cent that we have been able to put into this San Gabriel Valley. I do want to point out to the audience and Congressman Torres that we have worked, our committee and I have worked very closely with Neil Zeimba and with EPA, and the source identification program has been through mutual participation and working very closely.

That may be called part of the study, but, boy, that is an important part of the study, to find what sources, identify those sources of contamination so that we can stop. Otherwise, we continue contaminating, which has been a real serious problem. So, I feel that

the State and the EPA has worked closely on that, and I think it is a very important project.

You mentioned private groups building facilities in your statement. What private groups, for instance, would be building facilities?

Mr. ZELIKSON. What I was referring to is that the EPA would spend its funds upfront to do an investigation and figure out what needed to be done to fix the problem. We would do the engineering work, and then we would take that along with some other investigative work that said that this number of companies were responsible for creating that contamination. Then with that evidence and with that plan in hand, we would compel them to do the work.

Ms. TANNER. Oh, the responsible parties would.

Mr. ZELIKSON. Yes.

Ms. TANNER. I see. I see. Well, are you planning on doing that?

Mr. ZELIKSON. Absolutely; yes.

Ms. TANNER. The State Water Resources Board and their white paper—I believe that the Watermaster is willing to cooperate with managing the water. What concerns me about the State Water Resources Board is the fact that you have allowed expansion of a landfill up where the possibility of further contaminating the water is great.

I think that was outrageous. I think that if there is any contamination, and there very likely will be contamination coming from that site — here we are talking about 50 years and hundreds of millions of dollars to clean up the water — the State Water Resources Board, which is responsible for providing clean water to the public, the State Water Resources Board is responsible also for possible further contamination.

I resent it. I think it is outrageous, and now, as Congressman Dreier mentioned, the possibility of the LA County Sanitation District attempting to site a landfill up — they said it was an alternate site — siting a landfill in the Fish Canyon area, and Mayor Lowes knows how we would be effected right here in Baldwin Park and the whole San Gabriel River flow would be affected.

I mean, it is outrageous what the agencies who are there, State and local agencies, to hopefully protect the water and the public, are doing, allowing or suggesting such unbelievable, incredible, projects. I know you are not involved with that, but, boy, that landfill expansion just was very, very upsetting to the entire community.

I hope that the State Water Resources Board watches very carefully the Fish Canyon discussion, because I think that the State should take a position on, and the EPA should take a position on any possibility of that kind of landfill being cited, where we are struggling so to clean up the contaminated water as it is.

I really hope that you take that back to your bosses. Thank you, Congressman.

Chairman TORRES. Thank you, Ms. Tanner. You very appropriately have raised the issue of enforcement, which leads me to ask the same question, perhaps, of Mr. Zelikson, and that is related to the Azusa/Baldwin Park project. Who made the decision that this portion of the San Gabriel Valley would be enforcement lead? I mean, exactly who made that decision?

Mr. ZELIKSON. I do not think you can point to any single person who made the decision but — —

Chairman TORRES. There must be somebody responsible when that kind of recommendation becomes a policy or a procedure. Who made the decision?

Mr. ZELIKSON. The decision is made as part of a process where people from all around the country come together with the projects that they have, to proceed and actually make presentations about the degree of threat that is occurring from the releases in their particular projects.

Then those projects are given a priority sequence, and the ones that are on the top of the list are funded, and, actually, then you go down on the list as far as you can with the available funding. Now, at this point in time, funding is not the issue. I think we would say that it is a possibility that project could get funded with money from the national, but it is very unlikely because we are doing the feasibility study now, and we will do the engineering studies. We will do that.

We will take that to the table and say — we could bring that through our national process, if you will, and say, "We need," whatever the figure is. What is the capital cost?

Mr. ZIEMBA. It would be around $50 million.

Mr. ZELIKSON. "$50 million to build this project" and it would have to compete with the projects around the country. It is conceivable, not likely, that — —

Chairman TORRES. Well, does EPA give the region a quota of how many will be enforcement lead, how many will be fund lead?

Mr. ZELIKSON. No; it would be based on the severity and the immediacy of the particular problem and at that point in time our assessment of whether or not it was viable to find private parties to make them pay. Obviously, the larger the cost and the more viable private parties are, from a national perspective you would want to have them pay the money and put the money on a project where you, perhaps, do not have responsible parties and you have an equivalent or a greater threat.

So, I think that it is an objective process, and it is a national one. We are anticipating that we will have parties we can identify who will do this work, and the only delays, theoretically, associated with that would be the time associated with negotiating with them, which is prescribed by our policies to be 4 months. I do not think that is an inappropriately long period of time, assuming that we can come to agreement in that 4 months for us to get people to pay upfront.

Chairman TORRES. Well, I understand that region 9 was allowed one enforcement lead and one fund lead start in fiscal year 1991; is that correct?

Mr. ZELIKSON. Oh, no; we have several enforcement — you mean for the San Gabriel Valley or for in general?

Chairman TORRES. Well, for region 9.

Mr. ZELIKSON. Oh, no; we have several enforcement lead; 90 percent of the Superfund sites in region 9 are enforcement lead.

Chairman TORRES. What about the San Gabriel Valley? Do you only have one enforcement lead and one fund lead?

Mr. ZIEMBA. In the San Gabriel Valley, we have three fund lead projects, Richwood, Suburban, and Whittier Narrows, and, as Mr. Zelikson mentioned, it was based on our assessment at the time that we did not have the parties identified for those projects. For our next project, Azusa/Baldwin Park, we feel we will have the parties identified. So, in keeping with EPA's overall enforcement first, we plan to try to get those parties.

Chairman TORRES. In a way, you are making those decisions based on these projects. You are the one who is recommending to the region what those decisions ought to be.

Mr. ZIEMBA. Well, the main thing is the overall policy which is set nationally, and that is where there is viable enforcement to try to do that. We are basically just implementing that policy on a specific project basis.

Chairman TORRES. I think that since any decision of this nature will be part of the administrative record of the site, I would like you to help us out by forwarding all of the documentation for us to look at. That would be very important for the staff to review. Could you do that?

Mr. ZELIKSON. Sure.

Chairman TORRES. Mr. Matthews, let me ask you a question based on your presentation. If the Watermaster does not control pumping, that is to say, shutting down currently operating clean wells to control the plum migration, do you think that the expanded Watermaster and the Joint Powers Agreement should be the lead agency then?

Mr. MATTHEWS. If it does not control — —

Chairman TORRES. That is right, if it not willing to control.

Mr. MATTHEWS. No; we do not. Our board has said they want to give the Watermaster and the Joint Powers Authority an appropriate amount of time to demonstrate their willingness and intent to control pumping sources to contain the plume, but if they demonstrate otherwise, then the board has indicated that they would support legislation to create an agency within the Basin to accomplish that goal.

One of the objectives of the white paper is to contain the plume. The board is behind that and supports it. They are willing to go along with the Joint Power — —

Chairman TORRES. They support that.

Mr. MATTHEW. The support containing the plume; yes.

Chairman TORRES. Mr. Zelikson, the Bartolo well field project is considerably further advanced, I would say, than the Baldwin Park/Azusa project. Is that so?

Mr. ZELIKSON. Yes.

Chairman TORRES. It is. Are you, if I am not mistaken, then in the design phase, and you should move to the construction phase in about spring of 1991. Is that the current projection?

Mr. ZELIKSON. Yes; that is right.

Chairman TORRES. Is there anything specific that you would like to tell us about that project, though? We do not hear too much about the Bartolo well project. You heard the Mayor of Norwalk speaks specifically of that project and their concern about expeditious movement in order for the project to act as a barrier against

the plume migration. Is it the thrust of your agency to do that at this point?

Mr. ZELIKSON. Yes; the Suburban project in conjunction with the Whittier Narrows project together would both control contamination and prevent it from moving into the Central Basin, those two projects.

Chairman TORRES. Let me speak to that. In June 1989 you characterized the Whittier Narrows project as very important. Let me just quote from your testimony. You said, "If we start mixing the San Gabriel aquifer contamination with the contamination from the Central Basin, we will have a hopeless task on our hands." That was your statement.

Now, I would simply like to discuss your time table for the Whittier Narrows and Bartolo well field projects. In 1986, EPA released its supplemental sampling program report which identified 36 wells down gradient from the contamination plume as threatened within 5 years. So, if current pumping patterns were allowed to continue, the Central Basin would be contaminated by 1991. That was what the report showed. This category included the Bartolo well field and the Whittier Narrows/Suburban wells; am I correct?

Mr. ZIEMBA. Yes.

Chairman TORRES. Could you elaborate on that, Mr. Ziemba? In terms of what the Mayor and the Councilmen were talking about earlier, in terms of that, what is the situation at this point?

Mr. ZIEMBA. Well, the supplemental sampling program, in identifying 36 wells, goes back to our highest priority objective which is to insure that we are protecting public health and people have clean water to drink. We looked at the 36, and we examined which companies were going to be effected and how critical it was going to be. For Suburban, the Bartolo well field supplied over 75 percent of the water for about 50,000 people in their city of Whittier service area.

Because of that and because we projected that those wells were going to be contaminated, it became a priority for us to put a project together that would solve that problem. At the same time we tried to make that project also contribute to controlling the spread through Whittier Narrows because the pumping from that well field is so large. If those wells were ever shut off, clearly a lot more contamination could flow through Whittier Narrows.

So, it was a priority. We signed the record of decision in 1988 to select that project and go forward. We are in design now, and one thing we can mention is, in terms of the national priority setting process, because the Suburban wells were wells that provided drinking water, and a few of them have begun to go above MCL's, it is ranked as the number nine priority nationally for funding out of over 40 projects. So, it is a high-ranked project, and, at least right now, it appears that we will have construction funding when the design is complete.

Chairman TORRES. OK. I appreciate your time tables, but again, I would like to go back to the central issue. The central question is how long is that process going to take, Mr. Zelikson? How long will the people in the Azusa/Baldwin Park area have to wait for clean water? How long? I mean, how long are we going to see before we

see an actual facility going up to clean water? Do you have any estimate?

Mr. ZELIKSON. Sure.

Chairman TORRES. Do you have a date?

Mr. ZIEMBA. The Suburban would be operating in approximately a year from next spring, so the spring of 1992 it would go into operation.

Chairman TORRES. So, we are talking about the spring of 1992 at the earliest; is that correct?

Mr. ZIEMBA. Yes.

Ms. TANNER. The valley county facility is an Azusa/Baldwin Park facility, right? That facility, the treatment facility, is it in operation?

Mr. ZIEMBA. They have had an air stripper in operation for a number of years.

Ms. TANNER. There is money going into a facility there in the valley county, right, Federal and State money as I understand; is that correct?

Mr. ZIEMBA. No; I think that is the State money.

Ms. TANNER. No Federal money.

Mr. ZIEMBA. No.

Ms. TANNER. Just the State money. So, OK, then I understand your questions because I know that the people of Baldwin Park and Azusa are getting clean drinking water because there is treatment going on. So, I do not want our constituents to be concerned that they are not receiving clean drinking water, because there is treatment going on currently.

Mr. ZELIKSON. I could add that I think that is extremely important. I made the point before that while we are struggling through the cleanup of a very complex problem, between the efforts of the local water purveyors predominantly, and the efforts that we have undertaken at Ridgewood, Suburban, Whittier, and Bartolo, and Baldwin Park, we are not only providing drinking water for people, but also at the same time working on the long-term cleanup.

So, nobody is faced with the dilemma of having to drink contaminated water.

Chairman TORRES. We have always tried to allay those fears, too. People should not believe or think that they are drinking contaminated water. Water, as it comes out of the tap, is OK. But again, we have to deal with the problem of cleaning that aquifer and, obviously, these treatment facilities are going to be the device to do that.

Now perhaps we will hear this from the other witnesses. I am to understand though that the Watermaster plan contemplated cleaning up water at the well head. Is that their particular approach in doing this? I think you cited in your earlier statement that it is only a short-term solution to do that. Am I correct?

Mr. ZELIKSON. Yes; but I do not mean to say short, and I do not mean to cast a negative glow on that. I think, to the extent that money can be provided through State and other mechanisms to begin to clean up that kind of contamination and provide treatment, that is a good thing. But I would say it is necessary but not sufficient in terms of dealing with the problem in the valley.

Chairman TORRES. Ms. Tanner, do you have any further questions to raise for our witnesses?

Ms. TANNER. No; thank you, Mr. Chairman.

Chairman TORRES. Ms. Tanner has no further questions, and I do not have any others. Any that I might have I will submit in writing to you gentlemen for the record. That is a good idea, perhaps because there is sizable interest in the Azusa/Baldwin Park project, and we have the Mayor here today, who is our host. I would give her the courtesy, if she needs to have that, to perhaps raise a question to your panel.

Mayor Lowes, do you have any specific question that you might want to address to our witnesses?

Ms. LOWES. No; I do not.

Chairman TORRES. You do not.

Ms. LOWES. I did have one concern and that is that you say you need to have more managers to get this project going and that concerns me. I do feel that we do a lot of talking and that we need to get acting. We do have one facility in northern Baldwin Park that is functioning now cleaning up a well. I would like to see us move forward as quickly as possible with whatever we can get going on and not spend a lot of time studying and studying. That is my only comment. I do not have a question other than my concern of how long is this going to take before we really get moving with something concrete.

Chairman TORRES. Mr. Zelikson, do you care to respond to that concern of hers?

Mr. ZELIKSON. My perspective is that we already have quite a bit of things in a concrete fashion that are underway. I think with a bit more patience, we will be out dedicating new treatment facilities and drinking clean water from them in the next 2 to 3 years. I think that will be the beginning of several projects, and most of which, I think, will be paid for by the private sector which is what we all want. So, I am very optimistic about the future.

Chairman TORRES. Let me see if I can just, on that note, return back to something you said earlier, and I think you were responding to Mr. Dreier's question. You were talking about payment by the private sector. You indicated that, through the process that your agency is following, you estimated that cost to be something in the neighborhood of $400 million. These funds would be recouped from the private sector as the responsible parties having aided, and abetted, and created this problem. Am I correct?

Mr. ZELIKSON. Yes.

Chairman TORRES. You would hope to recoup $400 million from responsible parties, and I believe you said that once you flesh this out, it would really mean that little money would be put forth by EPA itself.

Mr. ZELIKSON. That would certainly be our objective, and ultimately, if people resist, we would have to go to Federal courts, and Federal judges would have to decide that for sure, but I think our track record has been very good in holding people responsible to come to the line and make the payments.

I think we have some additional challenges here in the valley in terms of cause and effect relationships between what people did and the problems we are finding, but I remain optimistic that we

will be able to recoup and require private sector funds in the first instance to deal with this problem.

Chairman TORRES. In recouping that kind of money, obviously all of us — and I know Ms. Tanner is adamant about this particular fact — do not want the consumer to be tagged with the payment for this kind of resolution. That is something that I know we have to reiterate, but I want you, at this time, as we are talking about this issue, to say to us, "This $400 million we are talking about does not involve taxing the consumer, the water user for that remediation." Am I correct?

Mr. ZELIKSON. Yes.

Chairman TORRES. Mr. Ziemba.

Mr. ZIEMBA. Let me just clarify, too, a little bit. The $400 million, that was kind of an estimate we made of potential long-term cost to deal with the regional contamination. But when we identify the responsible parties, we do not go to the responsible parties and draw up a bill and say, "Provide us $400 million." What we do is we go in specific projects. When we have a specific proposal for them, we ask them to pay the money up front. So, for example, in Baldwin Park, when we are prepared, we finish the feasibility study, we have a plan, we go to the responsible parties in that area and ask them to pay for that specific project.

Then there will be certainly other projects all throughout the Basin and one at a time we try to get the funding for them. It is not like we just go to the parties and just come up with a full bill, and that comes back to your concern about cost recovery. If we have already paid for the money ourselves, yes; we recover our cost, but a lot of our focus of enforcement is to provide upfront money for new large scale projects throughout the valley.

Chairman TORRES. Well, Mr. Zelikson, in a year or so I am sure we are going to be meeting here again talking about this issue. I hope at that time we will be much further along. In the interim, we are going to be on top of you, on top of your agency, and finding out specifically what is happening and where we are at. So, continue to understand and feel that we are on your back. We have to be because, if we do not do that, this thing continually gets exacerbated. We do not see solutions, and I think the valley people deserve much better treatment than they are getting now.

I do not mean that as a pun. I mean they really deserve greater treatment from our Government in terms of resolution of this problem. Ms. Tanner, would you like to make a closing comment to our panel?

Ms. TANNER. Yes; I am pleased that you are here. I hope that we can continue to work closely with the EPA, we in the State, and now I feel a little more comfortable because what you are saying is a project, even the responsible party is going to come up with the money upfront. So, we are going to get the job done whether or not we have money available in the Superfund itself, right? So, we are going to get the job done. We are talking about a number of facilities, treatment facilities, and then the water management, hopefully, will be handled at the same time, so that the proper wells will be pumped and the proper facilities will be put together.

Mr. ZELIKSON. If I may, Mr. Chairman, just to clarify. I think to the extent that other moneys could become available, we might see

physical projects sooner if we had other sources of money as opposed to the path of bringing the responsible parties to the table and making them pay upfront, because there is that time of the negotiation that you lose, or that you have to take before you can actually see the project.

So, what you said was correct, but the timing of it might change based upon the availability of — —

Ms. TANNER. Are you trying to duck?

Mr. ZELIKSON. No; not at all. I just do not want to leave you with the wrong impression. The answer is that responsible parties will get this job over time.

Ms. TANNER. OK, let us say there needs to be a facility built in Irwindale, and you say, "OK, we have to put this treatment facility in Irwindale in this particular spot." Now, we are going to move forward and start putting this facility together. We know this company, this company, and this company are responsible for contamination.

So, you are going to go to these people and say, "Next month we have to start putting this treatment facility together so you owe *x* number of dollars. Come up with that money right now because we have to build that facility." Is that what you are saying?

Mr. ZELIKSON. No, no.

Ms. TANNER. No?

Mr. ZELIKSON. We would say to the group of them that, "This is what needs to be done and you now come to agreement amongst yourselves and then come back to us with a schedule," which we would have laid out for them. We say, "This is how long it should take to design and construct this facility."

Then over a period of 4 months, which is the allotted time we allow for these negotiations, they would, presumably if it works the way it normally works, and not always, they would come to the table with an agreement do that, because they see that, in fact, we have the data that shows they are responsible, and that it is better for them to pony up the money and get on with it.

Now it is possible, though, that they may come to the conclusion that they are not responsible, that our data is completely wrong, and that they feel that their lawyers are telling them that they should sue us for that or resist doing it.

Ms. TANNER. OK.

Mr. ZELIKSON. That is another possibility.

Ms. TANNER. OK, you say, normally though it works that way.

Mr. ZELIKSON. It does normally work that way.

Ms. TANNER. OK. How many have you had work that way here in the San Gabriel Valley? How many of these processes have we gone through here in the valley?

Mr. ZELIKSON. In this valley not that many but — —

Ms. TANNER. How many? Any?

Mr. ZELIKSON. There are — —

Ms. TANNER. How many?

Mr. ZELIKSON. The regional board has got, I do not know how many, probably hundreds of such agreements with these private parties.

Ms. TANNER. No, no; how many of these 4-month processes have we gone through? None?

Mr. ZELIKSON. None.

Ms. TANNER. OK, so do not say, "Normally, it happens this way."

Mr. ZELIKSON. No; I can say that because I have a long list of experiences throughout the State of California, Silicon Valley being one example, where that is exactly what happens, and there is a number of other cases throughout the region where that has been our experience. People come to the line and fulfill their responsibilities 90 percent of the time. That is a good record.

Ms. TANNER. OK, then, when are we going to start that process here so that — —

Mr. ZELIKSON. It is starting.

Ms. TANNER. It is starting.

Mr. ZELIKSON. Right, and why do you not speak to that, the Irwindale area?

Mr. ZIEMBA. The first time we are going to start that process is just in a very small area in Azusa and Irwindale and the focus of the negotiations there will be to get them to agree to a comprehensive investigation. In terms of treatment plants, which obviously you are interested in, the timing will be when the proposal for the Baldwin Park project is put together.

We have started the investigation. We have sampled some of the existing wells there. We will be looking at some alternative plans, come up with a proposed plan toward the end of next year. At that time, when we have an actual recommendation of these are all the facilities we want to have treatment on, here is what the water is, that is when we will identify the parties and begin negotiations.

Ms. TANNER. OK, Neil. If that is the case, then we are talking about a long, long time, because first that identification that you are talking about, then the remedial action plan, and then the responsible parties. Even if you started now, we are not talking about a 4-month process. We are talking about years.

Mr. ZIEMBA. No, no.

Ms. TANNER. Yes; we are.

Mr. ZELIKSON. No; you are right.

Mr. ZIEMBA. Yes; the 4-month process is from the time you have the actual proposal, and this is where it comes back to the idea of the Watermaster plan versus EPA's plan. EPA could do something like that on a well-by-well basis, but the Basin is so large that if you had to go through that process of negotiation each time, frankly, it would take forever to get it done.

That is why we are looking at a large area, the entire Baldwin Park/Azusa area, which is roughly about 12 square miles. Our proposal will involve treating a number of wells. We will do it all at once, and it will take us about 2 years to get to the point of having the final proposal and starting the negotiations. That is why anything that can happen earlier with other funding will help the process along. But still, we are talking about a much larger project.

Ms. TANNER. I know. So, it is going to be a couple of years, because you need the money from responsible parties, before something really is going to start happening. Then why cannot the EPA, why cannot the Superfund, pay for some facilities right this minute? Why not start some of the facilities with the Superfund?

Mr. ZELIKSON. But Assemblywoman, they are. I mean, the Suburban project, as we outlined before, had got a commitment to fund

that from the Superfund. That is a big project. Fifty thousand people are going to get clean drinking water, and that is from the Federal budget. That is good.

The Whittier Narrows project, we are not sure. At that point we may have sufficient evidence that we would feel that we should go after the responsible parties when we have that plan in hand. But if not, that would be another project that we could go to the Federal process nationally to say, "We want our share of that money."

But we are also putting up — it is not a small thing that we put up the money to do the investigative work in some of these projects and do the engineering studies, because once you have that, you have the specifics that you need to bring to the negotiating table and say, "That is what has to be done."

Ms. TANNER. Oh, I know that. We know that.

Mr. ZELIKSON. Yes.

Ms. TANNER. OK, thank you.

Chairman TORRES. Well, I do not want to get off this subject. I told you when we got you up here we were going to keep you here a long time, give you a long time to answer. What do you think about Mr. Matthews' idea as he proposed in his testimony, and I can cite that again. He called it the good citizens, parties to contribute voluntary upfront resources for cleanup by providing that potentially responsible parties can contribute money to Government for cleanup of the contaminants with no admission of liability.

Contributed money can be used as an offset against governmental action, wherein the contributor is found to be liable for the cost of contaminant cleanup. What do you think of this idea?

Mr. ZELIKSON. I think it is a good idea.

Chairman TORRES. Why?

Mr. ZELIKSON. Because it gets to the problem that we have been grappling with, which is to the extent that we want to proceed more quickly than available funds are right now, we are constrained because of the availability of funds. This provides another source of funding to move quickly, to do design work, perhaps even to build some projects, and then on a parallel track and do cost recovery.

So, to the extent that there are other sources of funds available, that would help that.

Chairman TORRES. Thank you. Well, Mayor Lowes, you opened up a can of worms here with your question and your concern. Gentlemen, thank you very much for your statement and your time, and you are now excused.

We would like to invite the next panel right away so we can move expeditiously. Panel two will consist of Linn Magoffin who is the chairman of the Watermaster. He is joined by Tom Stetson, who is the president of Stetson Engineering.

Panel two will also include Mr. Jim Norman of the Carrier Corp. and Kris Helm, who is the conjunctive use project manager of the Metropolitan Water District. Gentlemen, would you please join us in that order? Thank you, gentlemen, for being with us this morning for what is an important session of our subcommittee in the presence of Ms. Tanner, Mayor Lowes, and my other colleagues who were hear earlier.

As I have told everybody, your statements will be entered into the record in their entirety. I would ask you, in the interest of time, to attempt to summarize your statements, perhaps 5 minutes apiece.

Again, Mr. Magoffin, you are the lead-off witness, so I would ask you to please commence, sir.

TESTIMONY OF LINN E. MAGOFFIN, CHAIRMAN, MAIN SAN GABRIEL BASIN WATERMASTER, ACCOMPANIED BY THOMAS M. STETSON, ENGINEER

Mr. MAGOFFIN. Thank you, Mr. Chairman, Assemblywoman Tanner, and Mayor. It is a pleasure to be here again to address your committee. I am going to be very short in the comments I make. I would like to have Mr. Stetson talk about the technical plan of the Watermaster.

The question comes why the Watermaster has a technical plan separate from the EPA? I think we have answered that here this morning or heard the answers. Primarily, the Watermaster felt we needed to get going. We have had pressure from the people in the valley to get something done.

Also, we were concerned about the cost in the EPA plan. So, we felt we needed to try to get something going soon, and also to have the cost down where at least the people in the San Gabriel Valley would understand what we were talking about in numbers.

So, we asked Mr. Stetson to review the EPA plan and see if it would be possible for us to come up with a short-term plan that would accomplish what the people here in the valley have been asking for and also to get the cost down where, as Ms. Tanner says, the water bill does not cost more than the payments on our house.

So, that is what we tried to do, and we have held a hearing. A public hearing was held last Wednesday, and we received some good input on our draft plan. Our plan is to get those incorporated into the plan and adopt that plan in the Watermaster next regular meeting on the 7th of November.

We feel that we have a good plan. It is a short-term plan based on what we think we can do if we can find funding, and also the long-term plan which, we think, will be the conjunctees plan presently being worked on by Metropolitan Water District.

Also there is nothing to stop the EPA and others from going ahead on their plan. Our plan is simply a short-term plan to get something going, get some water cleaned up. In the letter you wrote to me as chairman of the Watermaster, you asked us to address the phase 2 implementation.

We have formed, when I say "we," Watermaster did not form, but the local agencies formed the JPA, which is now starting to function and that JPA has agreed to take the institutional and financial end of the equation and Watermaster has agreed to take the technical end. So, we feel that we have the expertise among the water people to do the technical part.

So, the JPA now is a public agency that can handle public funding, and eventually, if it comes to the point where we have to run assessments through Watermaster that will wind up on a water bill, that can be done through our present powers the Watermaster

has. But our hope is that we can avoid — as you have stated before here, we can avoid the heavy cost to the local residents.

I think with that, I would like to turn it over to Mr. Stetson to describe the technical plan and where we are.

[Mr. Magoffin's statement may be found in the appendix.]

Chairman TORRES. Mr. Stetson.

Mr. STETSON. Mr. Chairman, Assemblywoman Tanner, Mayor Lowes. It is a pleasure to be here. I want to go through this rather rapidly. It was not until mid-1989 that the water interests here began to realize that there was not going to be Federal and State funding to build all these projects and to operate these projects. We had originally understood that could be the case, and that they would be operated for 10 years at Federal and State expense and then the local interest would take over those projects. So, about mid-1989, it became apparent that was not going to happen, and also when the white paper was published in April 1990, it indicated that local interests were expected to pay based upon the cost presented in the white paper, as much as one-half of the cost of the cleanup.

In early 1989, the Watermaster, the Upper San Gabriel Valley Municipal Water District, the San Gabriel Valley Municipal Water District, and the Water Association adopted a joint resolution which expressed their intention to participate in cleanup and to address not only the cleanup but also the migration of the contaminants. The idea was to form a Joint Powers Authority of either the two municipal districts or all three municipal districts, including Three Valleys District, if it became interested, and work with Watermaster to go ahead and do that.

As Mr. Magoffin mentioned, the JPA was formed in August, and we immediately went to the State board in August on behalf of the JPA and Watermaster. We were given a grant to start the first treatment facility which will be the Arrow plant, Arrow well plant, of Valley County Water District.

Chairman TORRES. Where is that located?

Mr. STETSON. That is north of here, up toward Sante Fe Dam.

Chairman TORRES. What city?

Mr. STETSON. That is in the Baldwin Park plume. It is in Baldwin Park.

Chairman TORRES. It is in Baldwin Park.

Mr. STETSON. Yes; now that we have the funding committed, that plant will be constructed next year. We are now doing some preliminary work at Watermaster's expense, awaiting some State funds to go ahead with the design. But initially, we are going through the environmental assessment, monitoring some water quality up there to get up-to-date information and doing an analysis of the distribution system into which that water will be pumped.

That plant will be constructed next year. Now, as to Watermaster's technical Basin cleanup plan, it is both a short-term and a long-term plan. Over the short term, we have selected 11 wells in the Baldwin Park/Azusa plume that are now inactive, to reactivate those wells and put well head treatment facilities on them. We expect to get some State funding for that. Hopefully, we can get enough to build all of them.

Under the present funding on the Arrow well, the water interests are expected to pay one-half of the operating cost. So, that is a cost that the local interest will have to pick up. But that is only one-half of the operating cost. It does not include the capital cost.

But we are prepared to go ahead on these others as the funding becomes available. The other part of this short-term plan is to continue studies and monitoring of the Basin. We are cooperating with MWD on its conjunctive use study. We cooperated with EPA and the regional board on their studies, and we intend to continue the studies of the Basin, continue monitoring quality, and especially monitor the results of these initial plants that will be built.

Chairman TORRES. Let me just hold you there for a minute. Are any of you gentlemen going to speak about conjunctive use?

Mr. STETSON. I believe Mr. Helm is going to cover conjunctive use.

Chairman TORRES. You are? All right, thank you.

Mr. STETSON. We think that through these studies that will be going on at the same time as we are building these initial plants, we will learn more about the ability of these plants to control migration, and we hope to be able to establish that, through heavy pumping in the highly contaminated areas, we can control pumping without unnecessarily turning off perfectly good usable wells.

Our producers have a problem with turning off usable wells. In many instances, the usable wells are furnishing the water from which they can then blend water from another well that is above the MCL and that is how they meet the drinking water health standards in serving the water to their customers. If they had to turn off their usable wells, the uncontaminated wells, they would have a problem even operating the other wells then. So, that is one of the things that concerns the producers.

Chairman TORRES. You are going to initiate 11 of those, you say?

Mr. STETSON. Yes, sir. We have 11 of them targeted for the next 2 or 3 years, and we are going to build those as rapidly as we can get funding.

Chairman TORRES. Just for my information and perhaps the audience, have you already gone into a design phase for these?

Mr. STETSON. No.

Chairman TORRES. No?

Mr. STETSON. We have made preliminary studies of the well to determine its feasibility for doing this. We have selected the most highly contaminated wells in the area. We have selected first 27 wells that had contaminants that exceeded 100 parts per billion. The MCL is five. We then narrowed that down to these 11 wells that we feel we should start on.

We have to take those initially and go through one by one and investigate them. Now, the Arrow well we did first because we had a chance to get some State funding for that. We will follow the same procedure on the other 10 wells. All of these are in the Baldwin Park/Azusa area, where the big plume is.

As we are doing that, we are going to continue our other studies throughout the basin. The Watermaster has acquired the CFEST model from EPA, the one that CH2M Hill developed for EPA. The hardware is in-house. We do not have all the basic data yet to actually operate that model, but the data is being made available, and

we expect to have that operating in the next 3 to 6 months. As we operate these facilities and get the results, we can plug them into that model and see what kind of control we are getting.

We are not against controlling pumping. We have petitioned the court for the power to control pumping. We had the hearing on July 31. The court has not yet ruled on that. We expect a ruling any day. With that power then, if Watermaster has to exercise the actual power to cut off pumping, they can do it.

We feel that with Watermaster's relationship with the producers, we could probably convince the producers to either reduce pumping of shut off a particular well, if the producer was convinced it was going to help the Basin.

The other things we will be doing as we go along these next 2 or 3 years, in addition to operating these plants, is, as I say, cooperating with MWD on conjunctive use. Mr. Helm will report on that. We hope the results of that will show that may be the most feasible way to control the Baldwin Park plume. I am not going to get into that in detail because Mr. Helm will cover that.

The other matters I would like to mention is that as I understand it, the Regional Water Quality Control Board is preparing legislation to protect parties who are responsible for pollution from going bankrupt. We think this is a good idea.

Chairman TORRES. Who is protecting them?

Mr. STETSON. The Regional Water Quality Control Board is preparing legislation to be submitted to the State that would protect the principal parties producing the pollutants from going bankrupt. We would support that type of legislation. A bankrupt polluter is not going to help the Basin.

Ms. TANNER. I agree with that, but I did not know. Mr. Yancous is in the audience. Maybe he can tell us about it sometime. Obviously, they cannot introduce legislation. So, they are going to have to ask somebody, and I have not heard about it. I think it is a good idea.

Mr. STETSON. Well, I have not seen it. We have just been informed that was something — —

Chairman TORRES. You cannot change the Federal Tax Code as well. So, it is going to take legislative action.

Mr. STETSON. Well, perhaps there should be something at the Federal level, too, in that regard. The last thing we want to see is the polluters go bankrupt, leave the Basin and the State, and throw people out of work. Nobody comes out well on that type of an operation.

Watermaster also sees no need for legislation to create any kind of a super agency. We believe that through the Joint Powers Authority and Watermaster we have the local vehicle for coordinating the cleanup of the Basin. Watermaster's plan envisions that any plant that is built in the Basin, whether it is built through the Joint Powers Authority, Watermaster, EPA, a polluter, or MWD, that it all be coordinated into one overall plan.

We look at this as a cooperative effort of all the Federal, State, and local agencies, including Metropolitan, as a Basin cleanup plan. Under the White Paper there were certain things that the State board and the regional board wanted Watermaster to furnish in the way of data to the regional board. Watermaster has ap-

proved, in principle, the furnishing of that data. The only thing that remains now is for the staff of Watermaster and the staff of the regional board to get together and work out the details of that. We expect to have that underway within the next 30 to 60 days.

I believe I can close on that unless you have some questions.

Ms. TANNER. I was out of the room for a few minutes, and so I did not hear whether you mentioned or whether you were asked, if the Watermaster or the Joint Powers, what is that, will be willing to manage the water — I mean, say if a certain well should be closed or pumping should not be done here, but pumping should be done there, I think that is a fear of some of the people in the valley that that will not happen because of your own proprietary interest.

Will you be able to manage the water so it is managed properly and responds to what, I think, the white paper discussed?

Mr. STETSON. Yes; I certainly believe we will. In fact, in the joint resolution that was adopted back in February 1989, and that was the two Municipal Districts, the Water Association and Watermaster jointly indicated that they recognized that they may request producers to pump or not pump particular wells in order to influence the movement of contaminated ground water and to avoid the spread of migration of contaminated water to new areas within the Basin or outside of the Basin.

There has been no action by Watermaster that I know of that has backed off of that commitment.

Ms. TANNER. So, there is an agreement on that.

Mr. STETSON. Yes; there is.

Ms. TANNER. OK. I think that is something that people have been worried about and, perhaps, that is why there is a suggestion that another agency be formed, a super agency or what have you. But I am certainly willing to wait to see how this works, because it is so important, and it is more timely for you to move ahead.

I want to restate that so far the Watermaster has been making sure that we have been drinking uncontaminated water. I feel very confident that things will move along nicely. Thank you very much.

Our next witness is Kris Helm from the Metropolitan Water District.

TESTIMONY OF KRIS HELM, PROJECT MANAGER, CONJUNCTIVE USE STUDY, METROPOLITAN WATER DISTRICT

Mr. HELM. Thank you, Madam Chairman. I appreciate the opportunity to appear before this committee on behalf of Metropolitan. As you are aware, Metropolitan is a wholesale water supplier which serves the larger Southern California area, an approximately 5,000-square-mile service area from Oxnard to the Mexican border.

Our sources of water are imported water supplies. We own and operate the Colorado River Aqueduct and are the largest contractor to the State project which imports water from Northern California.

We operate in this Basin through two member public agencies which overlie the Basin. They are the Upper San Gabriel Valley Municipal Water District and the Three Valleys Municipal Water

District, which are two of the members of the Joint Powers Authority. The San Gabriel Valley Municipal Water District, the third member of the Joint Powers Authority, has its own contract with the State water project for imported water and is not a part of Metropolitan.

Metropolitan operates largely as the backstop for this Basin. We are an imported water supplier and agencies that overlie this Basin have the right to turn to Metropolitan and get imported water supplies in accordance with their requirements, either growth, increasing needs for water supplies or, frankly, a loss of local water due to contamination.

As the agency that provides that backstop for the local agencies, we obviously have a tremendous stake in what goes on here in the Basin, and any loss of the Basin's water to contamination would have serious detrimental impacts on Metropolitan. We would essentially have to go out and develop another water supply, and it is even more complicated than that.

The way that we are able to serve the water that we serve today to the San Gabriel Valley is very valuable to Metropolitan. We serve the bulk of supplemental water requirements here in the valley in the form of ground water replenishment deliveries, which we make at our convenience in times of plenty in the State, when water is available and Metropolitan's system has adequate capacity to serve the need.

That water is delivered to the Basin in wet years and times of plenty and then the water is drafted from the Basin during times of drought and during the summer when consumptive need exceeds our ability to — —

Ms. TANNER. That is the conjunctive use.

Mr. HELM. It is important to note that there is a tremendous amount of conjunctive use going on in the Basin today. The ground water replenishment activities that go on today are valuable to the State as a whole and very valuable to this Basin. The ability to receive deliveries in that manner is a value. We sell that service, obviously, at a much lower price than service on the surface.

Ms. TANNER. Is it my understanding that MWD is willing to spend money on treatment facilities?

Mr. HELM. Yes; our conjunctive use study is aimed at expanding the conjunctive use of the Basin, expanding this type of replenishment operation where water is stored in the Basin in times of plenty and then extracted from the Basin when there is a need. Because the Basin is so fully developed today, most of the overlying needs are met from the Basin. This is what EPA ran into as a problem and has been a tremendous area of focus here in the Basin.

The key to cleaning up the Basin seems to be turning on wells in contaminated areas of the Basin, turning on wells that can extract the contaminated water and get it out of the Basin. In order to do that here in the Basin and achieve a balance of water use, you end up shutting down many of the wells that, it has been pointed out, are clean today, wells that we would seek to keep clean and keep operating and, obviously, lowering the costs associated. Rather than having to add treatment to all the water that is used here in the valley, we would seek to be able to use some of the clean wells.

Metropolitan has a need for additional water into its system in droughts and during summer periods, and so, Metropolitan would logically be a place where treated water from the valley, water that had been cleansed and met all drinking water standards, but was extracted in a manner to remove contamination from the Basin, Metropolitan would be a source to use that water.

We have needs in other areas in Southern California that this water would be very valuable. So, developing the Basin storage more fully for this replenishment operation with extraction of contaminated water would have value to Metropolitan, and, clearly, we would be willing to fund facilities to the extent that they were justified on these direct benefits that Metropolitan could have, but would only do that as part of an overall cleanup plan for the Basin.

That is essentially the focus of the conjunctive use study.

Ms. TANNER. Who would you work out the program of your funding facilities if — I mean, with whom would you be working, the Joint Powers Authority or the State Water Resources?

Mr. HELM. Currently our study is funded with the Upper San Gabriel Valley Municipal Water District, Three Valleys Municipal District. The San Gabriel, even the part that is not in Metropolitan, is funding the study, and we are participating with Watermaster. Additionally, we are trying to coordinate, and EPA has been exceptionally cooperative with us in trying to coordinate those activities. Obviously, there is a lot of work going on right now trying to figure out how to better bring together these plans.

As Mr. Stetson indicated, everyone desires to have one plan and one list of priority projects that we can get ahead to building, and how Metropolitan's benefits that it might receive from a conjunctive use operation, assist in financing the project, and moving more quickly is what we are working on now.

I do not mean to take issue with our friends from EPA, but I think if we believed that the resources existed at present to move these projects forward quickly and in a timely way, we would probably be less interested than we are in the conjunctive use project. I think the local agencies certainly believe that we need to begin action that makes sense for us as water suppliers and melt that into EPA's plan.

Hopefully, if there is going to be cost recovery, ultimately, the projects that we would fund would be eligible for that cost recovery. But to the extent that Metropolitan's benefits directly from a conjunctive use operation could help assist these projects, we are obviously interested in exploring that.

[Mr. Helm's statement may be found in the appendix.]

Ms. TANNER. Thank you.

Chairman TORRES. Where are we at, Ms. Tanner?

Ms. TANNER. I think Mr. Helm has finished his testimony.

Chairman TORRES. Mr. Helm, thank you, sir.

We will go next to Mr. Norman with the Carrier Corp.

TESTIMONY OF JIM NORMAN, CARRIER CORP.

Mr. NORMAN. Thank you, Mr. Chairman, Assemblywoman Tanner, and Mayor Lowes. In that I originally settled in Baldwin Park in 1947, as I was telling Betty, and lived in Covina, I feel kind

of part of the problem, although Carrier is actually in the Puente Valley.

I would like to underline several critical issues regarding the whole Basin cleanup. I think we get caught up in the esoteric policy and everything, and we forget what we have to do.

As I stated at the Watermaster hearing last week, the inability of interested parties, and that includes environmentalists, potential PRP's, the Watermaster, JPA, MWD, all of us, it is very important that we get good data. We need better, more reliable information to put into the CFEST model. That is extremely serious.

EPA and its consultant have made a number of assumptions and modifications to the original program. Without that information, none of us can validate it, including Watermaster, JPA, the regional board, or any other interested party to check the plume configurations. So, many of the statements being made currently about the plumes and contaminant transporter have to be taken on faith rather than on engineering fact.

We believe that the statements made about the lack of information in the Puente Valley ground water are also overstated. The regional board is left out in a lot of these conversations. I think the real issue eventually will be the combination of the regional board with Watermaster and JPA. I believe they will be the ones who will really settle this problem. EPA will certainly interact, but anyway, the regional board and a number of consultants, over a long period of time, have accumulated a lot of data in the Puente Valley.

In fact, there is monitoring and extraction wells located in the geological narrows right across the throat of the valley, and they give accurate and real time information for a major part of the water flowing through the valley. We think that the EPA and Watermaster plans are very, very similar. I think that is becoming a consensus. Every hearing I go to, it is coming more that way.

I personally am very encouraged with MWD's conjunctive use program. I think it has much merit. But I believe that the Watermaster/JPA proceeding with the regional board with well head treatment at this time will give us positive action without years of delay for more studies. Any super agency legislation, I think at this time, is premature and would cause confusion as to the status of the current positive remediation and would be redundant.

EPA will probably always be in an oversight capacity. I think, under Federal law, we should accept that. Although I do wish to mention to the chairman that I feel Federal law and Superfund law did not envision quite this type of program, and I think EPA and the chairman here are fighting against something that just was not crafted to handle this. Perhaps we do need some changes in Federal legislation and even in the State legislation.

I do think the comments by the State board were meritorious in that they were talking about encouraging parties to come forward and spend their money and to eventually get some sort of credit for it. I would like to complete my statement on that point. I would say the goal is to get remediation now, not later. Thank you.

[Mr. Norman's statement may be found in the appendix.]

Chairman TORRES. Thank you, Mr. Norman, for your comments. I have been out to your facility. I have visited that. I think that to

date you have done a commendable job in dealing with this problem. What the future foretells or what must be done, we will see where that goes. But I do want to commend you for the work that you have done up to date.

At this point then, we have heard from all four of you. Ms. Tanner and I would like to simply raise some questions with you that perhaps we did not raise during the course of your testimony. Ms. Tanner, do you have something that you would like to direct at the witnesses at this time?

Ms. TANNER. No; I believe that I have had hearings. We have talked a number of times. I will say that I am really rather excited about the conjunctive use and the possibility of MWD funding some facilities. I know that Carrier Corp. has demonstrated a real sense of responsibility and is attempting to take care of the contamination that they feel they caused. I think that is worth remarking on.

I have worked closely with the Watermaster, and I feel they have been providing us with clean water, and it has been a tough job. I know that they welcome our input and the public's input, and let us hope that we can all work together and accomplish what we need to. Thank you very much.

Chairman TORRES. Thank you, Ms. Tanner. Before we excuse our witnesses, I would like to direct some comments and questions to them.

I have some questions, Mr. Magoffin, about your proposal. We have discussed this many times. As I have indicated, Ms. Tanner shares my concern on this. First of all, where do you expect to get your funding? I mean, succinctly, where do you expect to get your funding? In other words, what I am saying again is that I hope, and you said this, that you hoped to avoid — I want to know succinctly that you do not expect the people of the San Gabriel Valley to pay to install these well heads for the treatment units. Am I correct?

Mr. MAGOFFIN. Yes; that is right. Remember the funding will be coming through the JPA. They are the financial institution we have set up now. I cannot speak for that organization. I do sit on that board, and the only places we have to get funding is either through the State, which we already have thanks to Ms. Tanner and the work she has done, and the State board has already come through with financing for our first unit to be installed.

But either the State or the PRP's are the only places we have to get funding other than through assessments by Watermaster. If public agencies were formed, they would have the same problem, as I see it. Either they would have to get legislation to find funding, or they would have to go to the local people.

So, I think that our funding is really where it all hinges. We have everything set up now to do the job except for the funding.

Chairman TORRES. As I understand it, you expect to use a short-term, what I would call scatter-shot approach to solving this problem. You do not want to shut down any of the currently operating clean wells, as EPA has recommended, in order to stop pulling contamination from the dirty areas into the clean areas. You believe that if you install these small portable air stripping units and sort of rush around the valley doing this, that you can stay ahead of the contamination. Am I correct?

Mr. MAGOFFIN. Partially. I think that the industry is beginning to address the problem of cleanup facilities. Now, for the first time in, I don't know how long it has been, you can get what we call off-the-shelf equipment to be able to install it and get the job done. It does not have to be specially designed to fit an individual location. It is a type of thing that we can get right from the industry to do the cleanup. That is one thing.

Now, as far as the shotgun approach, I do not — —

Chairman TORRES. You have seen one of these units?

Mr. MAGOFFIN. Yes.

Chairman TORRES. Could you just describe it, generally speaking?

Mr. MAGOFFIN. I attended an open house in Pasadena about a week and a half ago where they have a unit built by Calgon. It is an off-the-shelf-type thing where they have tanks for the activated carbon and so on. The only thing they had to design specifically for that installation was the fiberglass towers that they use for the water to cascade down through for the air-stripping.

Now, in talking with those people, they tell me that they can make those in any number of units, so that if you need two units, you put two on. If you need four, you put four on, depending on how large the plant will be. Now, those are things we have been hoping will occur, and the one in Pasadena is working fine.

Chairman TORRES. Where are these made?

Mr. MAGOFFIN. In Utah.

Chairman TORRES. They are American-made products?

Mr. MAGOFFIN. Yes.

Chairman TORRES. What is their cost?

Mr. MAGOFFIN. Tom, do you have a unit cost?

Mr. STETSON. It depends on the particular unit, but anywhere from a half a million to $1 million.

Chairman TORRES. Per unit.

Mr. STETSON. For a sizable unit; yes.

Chairman TORRES. There may be cases where you would need more than one unit at a well head.

Mr. STETSON. Well, if it was a very high-producing well, you may go for something more customized for that well. But for wells that produce 1,000, 2,000 gallons a minute, you can get these.

Chairman TORRES. So, we are talking about a million-dollar unit, generally speaking, and we are talking about, as I recall, 11 wells that you are going to be operating with?

Mr. STETSON. Yes, sir.

Chairman TORRES. Mr. Magoffin, EPA and the State of California have most of the power they need under CIRCLA and the State Superfund to manage this Superfund site. Am I correct? Is that the situation?

Mr. MAGOFFIN. I assume that is correct, yes.

Chairman TORRES. OK. The only power that they feel that they need, and do not have, is the power to regulate pumping patterns; is that correct?

Mr. MAGOFFIN. Yes; I think so.

Chairman TORRES. That is. So now you want to set up this Joint Powers Authority, but by your first actions, the Watermaster's cleanup plan, you indicated that you did not intend to change any

of the water purveyor's pumping patterns, that you are going to keep these constant; am I correct?

Mr. MAGOFFIN. Partially. I might address that, if you would like.

Chairman TORRES. Why do you say "partially?"

Mr. MAGOFFIN. Well, the latest information we have coming from the studies being made by the consultants for the Metropolitan Water District on the conjunctive use indicates it may not be necessary to shut off all the wells around the plumes. If the extraction is heavy enough in the heart of the plume, it may be sufficient to contain the plume movement.

Chairman TORRES. Excuse me, if you will, but EPA says to the contrary, that this spreads the contamination.

Mr. MAGOFFIN. I think that is based on information that is about 2 years old. The latest information we have indicates that it would not be necessary to — we might shut some wells down, but not all.

Chairman TORRES. Mr. Helm, would you care to comment on that?

Mr. HELM. Yes; just some clarification. The studies that Mr. Magoffin has referenced on the potential of pumping more aggressively in the contaminated areas and lessening the amount of clean wells that need to be shut down to get effective remedy are, in fact, studies that are being financed by the EPA.

I just want to emphasize that we do not have adversarial stance on that point. We are trying to work cooperatively with EPA and the Watermaster to come up with various alternatives. What EPA has suggested, and I think if they were here, and perhaps they would come back, is their emphasis on controlling pumping patterns is speaking to the need to activate wells in contaminated areas and activate them at sufficient rates to contain the migration of contaminants.

It is not EPA's objective, in and of itself, to shut down clean wells. No one's objective is to shut down clean wells. This control of pumping patterns, the focus of that should not be in shutting down clean wells. The focus of the control of pumping patterns is to locate sufficient pumping in contaminated areas to get effective capture of the contaminants and to stem their migration.

So, I just want to emphasize that the EPA is exceptionally cooperative in these studies and is, in fact, financing some of these studies so that as we get into — and I think they referenced that over the next year or so will be doing design of an operable unit, a large scale extraction facility in the Baldwin Park/Azusa area. That is where Metropolitan, the Watermaster, and EPA need to get together on these alternatives and, in fact, we are seeking a closer working relationship between these entities so that we can all agree on one plan for achieving a water balance and sufficient extraction of contaminants to control the problem.

Ms. TANNER. Mr. Chairman, while you were out of the room, I asked Mr. Stetson if the purveyors agreed to allow their water to be managed and he said, yes; that there was a commitment. Did you say there was a commitment through the — —

Mr. STETSON. That was adopted in February 1989.

Ms. TANNER. The purveyors were willing to have their water managed. So, I think that there is no problem there. I am hoping that there is not a problem there. It seems that is what the EPA

wants. That is what the State Water Resources Board wants, that the water is managed properly. The purveyors, from what I understand, are committed to allowing the water to be managed, the pumping to be managed. Am I wrong or am I correct.

Mr. STETSON. Well, I cannot say that every single purveyor is committed to it, but Watermaster is committed to it. Anyone of the four participants in the joint resolution are all committed to it.

Ms. TANNER. Are committed to it.

Mr. STETSON. That is why Watermaster went to the court to request that specific power to be put into its judgment, but the court has not ruled on that yet.

Chairman TORRES. Mr. Helm, perhaps you could tell me, how long until conjunctive use is on line?

Mr. HELM. Well, at this point, we do not know how it is going to function as part of the overall plan of remedy. I would say that the conjunctive use time line is largely the same as the completion of technical studies for the Baldwin Park/Azusa area. I think that we will begin to look at other areas in the Basin where greater use of the Basin is technically feasible and can assist in contamination.

I hate to give you a time line of when we will have ultimate facilities. I think that the basic approach of EPA and the environment which Metropolitan is working in will decide on some facilities that we can build. I think this is common to the Watermaster. We will decide on some facilities that make sense, that we know enough about to say these facilities, to begin some cleanup. We will put those in, and we will continue investigations into where other areas of contamination are.

The Basin-wide technical plan suggests that this is going to be a continuous process of building facilities for many, many years. So, I cannot give you an ultimate destination on conjunctive use.

I can tell you that we started in the study in June of this year, and we are in consultation with EPA and the State Department of Health and beginning environmental compliance on a first treatment plant in some of the highest areas of contamination to do additional investigations, field tests of the capability of these extraction wells to pull contamination, and the capability of some of these technologies that have been referenced to produce good quality water for a very long term at a reasonable price.

Given the investment that is likely to be needed in treatment here in the valley, we think that on a global scale some upfront money needs to be spent on more economical methods of getting reliable treatment of this contaminated water. So, we are beginning the process on that, and I think that we would probably have a project in design and construction the early part of next year on that.

The study continues while projects are brought on line, and I think that is kind of the way it is going to go here in the valley. It is going to be a number of years before we can have the infrastructure in the valley necessary to support very large scale extractions of the contaminated area.

An issue that will come up is disposal of brines or wastes from the treatment of nitrates. While the focus is generally here on organic contamination, TCE, PCE, carbon tetrachloride, various con-

stituents that are in the ground water, a serious concern is the nitrates that are in the ground water.

When we talk about producing contaminated water from the Basin for potable uses, we have to deal with all the health constituents, the bacterias, the viruses, radio-neuclients, nitrates, all of the constituents that we worry about in water. Nitrates are a serious treatment problem. One of the things that we will need is an infrastructure to dispose of the wastes that are produced in nitrate treatment.

I hate to tell a committee that it is going to take some time, but I am afraid that it is going to take some time.

Chairman TORRES. Thank you. Mr. Magoffin, in your testimony you said that conjunctive use that we are talking about here, would blend in storage with fresh water. Is the implication here that the citizens of the San Gabriel Valley Basin should accept a dilution, if you will, as the solution to pollution?

Mr. HELM. Let me answer that. There has been some confusion.

Chairman TORRES. It was in his statement, that is why — —

Mr. HELM. In the conjunctive use proposals and in the proposals that we are looking at, all of the water that we would pull from the Basin would meet all drinking water standards at the point of removal. There would be no dilution to deal with the contaminants. Treatment would be implemented to remove contaminants and get potable water out, all the water that was extracted and served as part of a conjunctive use project.

We would not, and have specifically rejected, any blending or dilution of the contaminants as a means of dealing with it. We are going to treat it and get good, high quality water out of the conjunctive use facilities.

Chairman TORRES. In the statement it is also said, "Having a flushing action on the Basin." Is the implication here that we should allow the contaminants to be pushed throughout the Whittier Narrows just at a slower pace?

Mr. HELM. No; not at all. What we are saying is when you pump in these contaminated areas, as you shrink the areas of contamination — it is a technically very difficult thing to do, to pull these contaminants out of the Basin. They tend to stick to the Basin itself or absorb to the aquifer. The reason extractions have to take place over such a long period is some of these contaminants actually stick to the Basin itself.

So, you have to pump over a number of years and actually flush them from the aquifer with the water that is extracted. What we are saying is by increasing the amount of water that is moving through the Basin will increase generally this remedial impact of pumping the areas of contamination, reducing those levels, which takes a number of years, and probably could be accelerated by additional pumping.

Chairman TORRES. Thank you, Mr. Helm. Ms. Tanner, any further questions from you?

Ms. TANNER. No; thank you.

Chairman TORRES. If not, then I want to thank you gentlemen for having come here this morning and providing us with this information. You now stand excused. Thank you.

I would like to call up the next panel, panel three, which is made up of Mr. Jesse Martinez, who is a member of the Toxic Task Force of the East Valley Organization, Duane Waln, the Sierra Club of the Angeles Chapter, Mary Johnson, League of Women Voters, and Melissa Hathaway McKieth, who is with the El Monte Property Owners Association. Ms. Hathaway McKieth, Mr. Waln, Ms. Wertz, Jesse and Ms. Perez. OK, I did not have a nameplate for you.

Mr. Martinez, Jesse, you are no stranger to this subcommittee. We would like to hear from you this morning. Welcome.

TESTIMONY OF JESSE MARTINEZ AND LOURDES PEREZ, COCHAIRS, TOXIC TASK FORCE, EAST VALLEYS ORGANIZATION

Mr. MARTINEZ. Thank you very much, Congressman and Assemblywoman Sally Tanner. I am glad to see you again. I am the cochairman of the EVO Toxic Task Force, and the other cochairman is Lourdes Perez. She is going to start our statement today.

Chairman TORRES. Very good.

Ms. PEREZ. Thank you. I am very happy to be here today on behalf of the people of the San Gabriel Valley and the Pomona Valley. EVO has a very simple message to you today. State Senator Charles Calderon is pushing a water tax on the taxpayers, and I know that Esteban Torres does not agree with that.

Your support in our efforts to get the EPA to clean up the water does not reflect that. All the work that we have done in the last couple years, and all the work that you have done in the past, as well as you, Ms. Tanner, does not reflect that you support that the taxpayers will have to pay for the cleanup.

We would like to ask you to tell Senator Calderon to forget it. That we do not support that, that the taxpayers do not want that. We would like for you to ask the EPA to speed the process of cleanup by identifying the polluters now, not later.

Both of these issues are very important to us, and we consider the taxpayers paying for the pollution an outrageous request. We know that it can be done. We know that polluters can be identified. Lockheed is paying millions of dollars in the San Fernando Valley for the pollution that they did there and Aerojet in Sacramento. The polluters must pay.

The taxpayers do not need to be burdened with the tax. They are the victims. Criminals pay, not victims. EVO represents 40,000 families in the San Gabriel Valley and Pomona Valley, and I am here to tell you that these people want you to hear them loud and clear, "Please tell Senator Charles Calderon 'no way.' "

Chairman TORRES. Thank you, Ms. Perez, for your statement, short and succinct. Mr. Martinez, would you like to proceed now?

Mr. MARTINEZ. Yes; I am also short and to the point. On behalf of EVO, the Toxic Task Force, and also the Carpenters Union, which I represent in the San Gabriel Valley, we have attended a lot of hearings here lately; hearings by Senator Art Torres, and there have been hearings by Assemblywoman Sally Tanner. Here today we have a hearing, a congressional hearing by you, Congressman.

These hearings must lead us into action. The EPA has taken a long, long time to identify the polluters. If we do not speed up this

report, we will end the decade the same way we are now. We urge you to light a fire under the feet of EPA.

The EVO will hold a time for action assembly late in January. At that assembly we want to know how the $20 million that BFI gave the State Water Resources Board will be used. We want to know where water cleanup projects will be built. It is in our interest to see that many of these water cleanup plants are constructed in the San Gabriel Valley.

We will ask that you convene a meeting with EVO, the State and regional water representatives, Assemblywoman Sally Tanner, and the EPA in your office to develop where and when these projects will be built. Jeffrey Zelikson of the EPA has already agreed to help us identify the best locations for these sites. If we do this, we can inform the hundreds and hundreds of residents in late January of this action being taken and these hearings will lead to some result.

We are very interested in the plan proposed this morning on these water treatment plants or water purifying plants that will be built in the San Gabriel Valley. We know there is some money there by BFI, and we have heard dollar figures. We are under the impression that water plant, cleanup plant, that will be built on Earl Highway is going to cost approximately $3 million.

We would like to have an additional five of these plants designed in the San Gabriel Valley and proposed to be built here in this coming year, 1991. We have ended a decade of pollution, and we are looking to the leadership in this San Gabriel Valley, which is made up of you, Congressman, and you, Assemblywoman Sally Tanner, to lead us out of these polluted waters that our people and children are drinking. Thank you very much.

[Mr. Martinez' and Ms. Perez' statements may be found in the appendix.]

Chairman TORRES. Thank you, Mr. Martinez, Ms. Perez, for your statements. We will get back to you as we hear from the other participants.

Ms. Wertz, you will be next.

TESTIMONY OF ELIZABETH WERTZ, REPRESENTING MARY JOHNSON, PRESIDENT, LEAGUE OF WOMEN VOTERS

Ms. WERTZ. I am Elizabeth Wertz, Mr. Chairman and Assemblywoman Tanner. I am here representing Mary Johnson, the president of the League of Women Voters, East Valley Group. She, unfortunately, was not able to be here and asked me to read her statement.

Thank you for asking for our comments on the progress of the cleanup in the San Gabriel Water Basin. The League believes that the joint powers agreement among the water agencies, augmented by cooperative agreements with Watermaster and Metropolitan Water District, has the potential for taking immediate and effective action to prioritize projects and implement cleanup of the San Gabriel Valley.

It may, however, be premature now to judge whether such an effective, rational organization of powers will actually emerge. The League feels that such an organization should be based on econom-

ic efficiency, administrative effectiveness, political accountability, and fiscal equity.

The League observes that there are particularly serious barriers to securing adequate, equitable, and flexible funding for the area's cleanup and protection. Since the passage of Proposition 13, property tax revenues have not been sufficient to adequately fund the property-related services including water.

Additionally, there is an apparent shortage of resources at the State and National Government levels to meet Superfund costs along with many other competing programs throughout the Nation. In light of these barriers to broader funding it appears that residents, businesses, and industries in the San Gabriel Valley will be a major part of the funding formula, not that we like it, but in the interest of timeliness.

It is then the mandate of the JPA to adopt an equitable, easy to understand, and well-publicized means of raising adequate funds to do what needs to be done over the long haul. Along with the obvious, the slow and costly process of securing funding from polluters, a pumping tax administrated by an individual district seems to be a local funding source. I assume that this would be subject to recouping along with the other agencies that put up upfront money.

League members question the appointive process by which the current Citizens Advisory Council was formed and the council's current composition. We feel the core membership in such a group should be open during the organizing period to representatives of all interested groups and to individuals who are willing to attend meetings and become informed.

Mechanisms to reach such a group should include news articles, letters, personal communications to a wide spectrum of community groups. Further, the water districts and Watermaster should not have voting representation on the Citizens Advisory Council but instead attend as resource persons or arranged for district and Watermaster staff to provide a resource to the group.

Meetings should always be open to observers but active participation limited to the core group that evolves. Additions to the core group could be arranged for periodically from the ranks of faithful observers. Thank you.

Chairman TORRES. Thank you, Ms. Wertz. Now we will hear from Mr. Waln.

TESTIMONY OF DUANE WALN, ANGELES SIERRA CLUB, ANGELES CHAPTER, WATER QUALITY TASK FORCE

Mr. WALN. My name is Duane Waln, Mr. Chairman, Assemblywoman Tanner. I am here representing the Angeles Sierra Club, Angeles Chapter, Water Quality Task Force.

First of all, we appreciate the opportunity to comment on the San Gabriel Valley Superfund Cleanup Program. We are concerned that a Basin cleanup plan be implemented that is effective not only in removing contaminants from the Basin, but especially in preventing further spread of these contaminants; that this be done in the most economical manner over the long term, and especially before there is any denigration of the VOC's into more dangerous items like vinylchloride.

We would like to respond to the specific question posed for this hearing today. We have reviewed both the EPA Basin technical plan, the EPA plan, and the Watermaster plan. Our position is one of support of the EPA plan. This plan is based on extensive analysis using the CFEST computer model which has been referenced in established text books and in premier journals. Its accuracy is well-documented and its use is state of the art in modeling of ground water flow.

The significant difference between the Watermaster and EPA plans revolves around the issue of pumping patterns. The EPA study found that past and current pumping patterns are causing the spread of contamination. The EPA plan says that pumping must shift from outside the areas of contamination back to within areas of contamination.

Public statements by Watermaster staff have given us the impression that they dispute this major finding. That this is their position would seem to be supported by their plan which, although it does identify wells to be activated, fails to identify wells to be closed. The EPA finding is that closing of appropriate wells on the periphery of contamination is essential to halting its spread.

Watermaster says that their plan is cheaper, but this is not established by the facts presented in their plan. The primary cost missing from Watermaster's plan is redistribution of water to purveyors of wells that are closed. The EPA plan identifies 58 wells on the edge of the Baldwin Park plume to be closed. Most of the wells are not owned by the same companies whose wells are identified for reactivation in the Watermaster plan.

If the Watermaster is planning to close wells, how are these purveyors going to be provided substitute supplies of water? If facilities to convey waters exist, that information, obviously, needs to be included in the plan. If Watermaster is planning to spread or inject the treated water, where are the costs for these facilities?

If Watermaster does not plan to close any wells, their plan risks failing to prevent contamination from spreading. If they are planning to close wells, their plan may not be so cheap after the cost of conveyance facilities are included.

Watermaster staff has emphasized the use of Metropolitan Water District's conjunctive use program in the aid of cleanup. We fear that they are planning to substitute this program for closure of wells on the periphery of contamination. The effectiveness of such a plan would certainly need to be justified through the CFEST model by an independent investigator. However, common sense would indicate that, although a conjunctive use program has the possibility of augmenting the cleanup program, it must not be a substitute for closing wells on the edge of the plume.

Watermaster's plan does not address contamination in the Puente Basin, a project identified by EPA as a priority and certainly was spoken to with great concern by the gentlemen from Lakewood and Norwalk earlier in the hearing.

The fact that Watermaster has prepared this plan is an indication of the planning and supervisorial role that they are seeking. The inadequacies of their plan highlight the inappropriateness of their having a lead role in the cleanup. We cannot help suspect

that the nature of their cleanup plan is motivated primarily by the needs of water rights holders.

It is our position that the private financial interest of the water rights owners are in conflict with the broader public interest when it comes to Basin cleanup. For this reason, we have argued against Watermaster taking a lead role in the cleanup.

The newly formed San Gabriel Valley Water Quality Authority, JPA, seems all too ready to hand Watermaster such a role. I quote from their mission statement. "The only significant difference between the plans appears to be the recommendations as to the initial steps to take." We fear for the future of our Basin with this agency in charge. We hope you will support our efforts to seek State legislation authorizing a new agency, one which will have necessary powers, and which will be broad-based, and will, obviously, need to include representatives appointed directly from the public.

I am at the end of my statement of our position, but let me point out that our position is consistent with the recommendations made by the Torres/Tanner Task Force. We thank you again for the opportunity to speak to this issue. We hope that our comments have been helpful.

Chairman TORRES. Thank you, Mr. Waln. Now we will hear from Ms. Hathaway McKieth.

TESTIMONY OF MELISSA HATHAWAY McKIETH, SOUTH EL MONTE PROPERTY OWNERS ASSOCIATION

Ms. HATHAWAY MCKIETH. Thank you for giving me the opportunity to participate on this panel. I represent approximately 60 small businesses in the El Monte/South El Monte area. These businesses are comprised of companies that have between half a million and $2 to $5 million in sales per year.

I wish it were so simple that you could draw the line between polluters and nonpolluters and that we were all Lockheeds and Aerojets in terms of their economic viability. Unfortunately, the situation we have in the San Gabriel Valley is that we have numerous small businesses who have either only recently come to the valley and purchased property that was previously contaminated, or are small businesses which will potentially suffer bankruptcy in the event that we proceed the way it appears to be going in this situation.

I would like to comment a little bit more specifically. We have a situation where companies are going to be required to participate in a Superfund Program that is extremely costly. And I cheer the environmental practice in the LA office of Baker and McKenzie. We have been involved in Superfund sites all over the country, and the comments by the EPA this morning were extremely optimistic in terms of PRP participation, particularly when you have very small businesses who have only recently become involved in the problem.

I agree the consumers certainly should not be burdened with the greatest amount of taxes, but they also should bear in mind that if my 60 companies go bankrupt, there are jobs that are lost, there are taxes that will no longer be paid in this valley, and right now

these companies cannot borrow money on their properties because they have become embroiled in this situation. They are not going to be able to sell their businesses, and they believe it is extremely unfair, given the fact that most of them are very, very small volume generators and have trace elements of contamination in their soil.

So, what is the solution? I concur with the comments of the League, that we have to come up with an equitable way to deal with what is a complex problem never faced before by the Environmental Protection Agency. The aquifer in the San Gabriel Valley is a unique situation. Most EPA projects, according to the General Accounting Office, have taken up to a decade. I have been involved in Stringfellow forever now and the attorneys are making a phenomenal amount of money, and it is not going to the cleanup.

I do not want to see that happen here, and the first thing, I think, business has to be more involved. To date there has been very limited involvement except for the major corporations who have major liability and have come forward. For smaller companies that is a little bit more difficult particularly when they do not think they are responsible.

But we have asked Ms. Tanner at previous meetings, and we think there has to be thought given to the idea of coming up with an allocation based on something other than so-called responsibility, something where, depending upon the number of sales in a company, you pay a certain fee, or since I am not a politician, God forbid, a tax.

I think that by coming up with dollars up front, that gets away from the bureaucratic and judicial time that it will take, attorney transactional time we call it, in terms of proving each individual's liability — what I believe right now, the legal and scientific data against some of these companies is pretty defensible on our part. We would save a lot more money if we could come up with a fee on businesses.

I also think a dollar a month on consumers is not the end of the world either, considering that we consumers also send our trash, our hazardous substances, to landfills. But I submit here today that we have to come up with a system that generates dollars right away in a fair sense. I think more thought has to be given to how businesses could come forward, not based on their responsibility, but based on some other objective criteria and contribute dollars to get matters going now.

Otherwise, you are just going to make me a rich woman, and I am going to be out there fighting with the EPA for clients, fighting against the regional board, and I do not think my clients want that at all. I think we need to come up with a solution fast.

Finally, in closing, one of the things that is lacking with the regional board is the ability for my clients to prove their innocence. Mr. Ghirella met with our group 4 hours last week and the board is beginning to review our files again and perhaps come up with a mechanism for our clients proving that they have not contributed anything to the ground water.

You must understand that simply because a business uses chemicals or there are trace elements at 5 feet in the soil, does not mean they have contributed to the ground water aquifer problems. Right

now, collectively, we have spent over $1 million drilling ground water wells for the regional board. We do not know whether we are getting that money back or not.

There are many problems with the source investigation program that certainly could lead, over time, to litigation against the regional board. We would like to avoid it, and so far they have been cooperative with us. I would be happy to entertain any questions you have.

Chairman TORRES. Thank you, Ms. McKieth. You made reference in your statement to Assemblywoman Tanner and on that note, I will yield to Ms. Tanner time for questions or response.

Ms. TANNER. Thank you. Yes; well, Ms. Hathaway, you are aware that both the State and the Federal Superfund is a fund that is created through taxes and fees against industry. You are aware of that.

Ms. HATHAWAY MCKIETH. Yes; I am aware of that. However, there has been ample testimony this morning saying that fund has not money to deal with our San Gabriel problem or has very limited money, and, therefore, I do not believe you are going to find the necessary resources solely coming out of that fund which is then — the EPA, as I have mentioned, will then sue everyone they can get their hands on to try to recover the cost of that fund, which sounds great in theory, except that the cost of the litigation — I truly believe that if we could get the attorney and consultant fees on Stringfellow, it would be an enormous dollar amount when you consider what is to gain. I doubt the EPA is able to recoup all of their transactional costs when they go to recover that fund money if they spend their dollars up front.

Ms. TANNER. You can tell she is a lawyer. You have just answered my question.

Ms. HATHAWAY MCKIETH. Did I not answer the question? I do not see the EPA as — —

Ms. TANNER. I want to respond to your answer.

Ms. HATHAWAY MCKIETH. Sure.

Ms. TANNER. What you are suggesting is possibly the local small businesses, or businesses, in general, locally to pay an additional fee. Now they are paying a fee into the Superfund, State and Federal, and you are also suggesting that the consumers pay a fee.

Now, what I am going to suggest to you, Ms. Hathaway, is that the Superfund is used to clean up sites. It has been used to clean up sites throughout the country, and there was no additional money from locals in other parts of the country that went into paying for their cleanup.

As a matter of fact, we have all shared in cleaning up sites in New Jersey, in other States, and other areas. Now, I absolutely believe that the responsible parties, they are small businesses, I understand, but if they have an underground tank that leaks and is contributing to the contamination, they are responsible parties.

If, perhaps, these small businesses can get together and form some kind of a group to participate in the plans on how to clean up the contamination, fine. But I cannot believe that the League suggests that we tax the consumer. I cannot believe that is — —

Ms. HATHAWAY MCKIETH. She did not say that.

Ms. WERTZ. I did not say that.

Ms. TANNER. What did you say?

Ms. WERTZ. I said pumping assessment which would be part of the local recoup.

Ms. TANNER. What would pumping assessment be?

Ms. WERTZ. It is what the Watermaster is already, I believe, using.

Ms. TANNER. You are suggesting that we increase or what? I mean I really would like to know what it is.

Ms. WERTZ. This is Ms. Johnson.

Ms. TANNER. I know.

Ms. WERTZ. I will do my best to interrupt it because the League is — —

Ms. TANNER. I seemed important. It is very important for me to understand.

Ms. WERTZ. The League operates by consensus, and we are interested in getting this started. We have been listening to people estimate that this is going to be years and years down the road. We think we need to come up some upfront money. We feel very strongly that the health is more important right now than the legal fees that go on with fighting over this.

I think that we would be very much in tune with having a fund where companies could put up upfront money without admitting liability and having — —

Ms. TANNER. So, that is what the pumping assessment is? I do not know — I want to know — —

Ms. WERTZ. It is simply one way of coming up with some funding to start — enough money to start the processes.

Ms. TANNER. Who would be assessed with this pumping assessment? That is what I'm trying to — —

Ms. WERTZ. That has not been explained to me, but I can only assume that it would be the local — —

Ms. TANNER. Consumers?

Ms. WERTZ. [continuing.] Companies and — —

Ms. TANNER. Oh, the companies.

Ms. WERTZ. I would imagine so, but I do not know.

Ms. TANNER. Now, I agree with Ms. Perez. I agree totally. I am absolutely opposed to a consumer tax. I am absolutely opposed to the consumer paying more, additional assessments. I know that there have been additional assessments. We could assess to the point where we cannot afford water in this area.

There is a Superfund. There are responsible parties and by golly, that is what should fund the cleanup of this contamination. I feel very strongly about it. I have, from the beginning, felt strongly. I was a coauthor of the State Superfund, and it was designed so that money would be taken from industry through fees and taxes and used to participate in the cleanup of contaminated sites. I absolutely agree with you, Ms. Perez.

Ms. PEREZ. Well, we thought that you would. We know the history of what you have been doing with the water in the valley, and we appreciate your support. Once again, we are very strong about that. We feel that we pay for our water, and we are being told now, "Oh, you want clean water? Well, that is going to cost you so much more." Well, that should be included in the water bill that we are paying for water. We should not have to be paying for the cleanup.

A lot of our people are business owners also, and they are going to have to be responsible. They are going to have a double-edge thing on there, where they are not going to be taxed at home, but they might be some of the responsible parties. We realize that, too, but we feel, as taxpayers, that is not a fair proposition. Again, I say it is outrageous and thank you for your support.

Ms. TANNER. All right. Thank you. I think we could go on and on. There have been attempts to help small businesses through grants and low-interest loans. They have unfortunately been vetoed by the Governor. Very soon, we will have a new Governor, whether it is Mr. Wilson or Ms. Finestein. Let us hope that the new Governor, whoever he or she may be, will understand the problems of a small business person and where contaminated sites are concerned.

Ms. HATHAWAY MCKIETH. Well, I really hope you reconsider coming up with some sort of an equitable trust fund. Many of these businesses are only recently in the valley. Pollution was caused from years and years. You have even admitted at hearings yourself it is historical contamination.

The regional board has admitted historical contamination. The tax dollars that go to Superfund are only on industries that use certain chemicals, whereas, there are plenty of properties in this valley that have been developed into Church's, MacDonalds, whatever on properties that are likely contaminated, too. They will not be contributing anything.

If you want to go ahead and prove all of our guilt and have us fight you every step of the way, you are going to be spending $8 billion to recoup $4 billion. I do not think that is going to get this valley clean.

Ms. TANNER. I do not feel as though we are adversaries. I think that we should work together. I do not feel that we are adversaries. I believe that we have a problem, and we should work together to try to solve the problem. I am not going to assume an adversarial role.

Ms. HATHAWAY MCKIETH. Well, as long as we keep calling people polluters throughout all of these hearings and saying that the polluters pay just because they are the current property owner of properties where there has been some contamination, I think you will not avoid an adversary contest with lawyers.

I make these difficult strong statements not to fence with you here, but to point out the realities of something I have lived in during almost 8 to 9 years of practice. I think that unless we come up a way to equitably share the cost among some people who truly did not contribute anything but happen to own the property now, you are going to end up in a lot of litigation.

There are law firms gearing up all over LA to take advantage of this valley. I think that if we are going to come up with a solution, we have to come up with a different funding source immediately. Thank you.

Mr. MARTINEZ. I would like to respond. Not coming to the defense of the EPA, but I think they have a suggested plan. We have been in meetings with them in the last few weeks, and there are going to be opportunities for small businesses to voluntarily participate with the cleanup in the San Gabriel Valley. They also see the tremendous amount of money that it is going to take, and I really

feel confident with the people from the EPA who have been here. They honestly want to propose a voluntary plan that small businesses can be participants. Even I, as a representative of a labor union, we do not want to alienate small businesses.

Small businesses are also important to our construction efforts in the San Gabriel Valley. They are important to us. But, by God, there is a chrome-plating shop somewhere in the San Gabriel Valley and regardless of what they might think or small businesses they might be, if they polluted that ground, they should be responsible.

The EPA is not going to go after a resident, small business there that has pollution history in his grounds. They are technically sophisticate enough that they will be able to tell if that pollution has occurred recently or many, many years gone by. I would say listen to the EPA. They have some suggested plans for small businesses.

We have to work with this plan, because it becomes a very, very angry crowd. Assemblywoman, I really have to thank you for the support that you have given us, and I wish Senator Calderon was here to see that we totally disagree with his suggestion of taxing the property owners in the San Gabriel Valley to buy water, because if you say you are going to tax the Watermasters or the water companies, they are going to pass a cost bond. We know that, so we are not fooling anybody.

So, we will have to work with this plan very closely and there are 40,000 families in the San Gabriel Valley that EVO represents. They feel very strong about this. We are really looking for your leadership to lead us out of this. You are the leaders in the San Gabriel Valley. There is no one else who is going to get us out of this mess. Together with EPA, we can do it.

Chairman TORRES. Well, thank you. You have all been most generous with your comments, and very, very articulate in voicing concerns on both sides of the issue to be sure. I have no further questions from you. I do not know if Ms. Tanner has any further questions. I would like Ms. Tanner, at this time, to make a closing statement based on what she has heard today and what her own concerns are. Ms. Tanner, I yield to you.

Ms. TANNER. I want to thank you, Congressman, for having this hearing. We have participated together in other hearings and certainly the people here have participated in many hearings. We recognize we have problems. We do not all agree on solutions, but we, hopefully, can hold hands as we walk toward the best solution and certainly attempt to work together.

I feel that the State, and the local governments, and the Federal Government, and business, and the environmentalists, together, can really find some solutions. Ms. Hathaway, I am very pro small business and recognize the problems there.

We have to find some solutions for small businessmen and women, because it is not going to be to our advantage, clearly, to see our small businessmen and women bankrupt. We have to find some answer. I am dedicated and committed to finding that answer, and I am always willing to work with any of you. Thank you very much, Congressman, for inviting me to participate.

Chairman TORRES. Thank you very much, Assemblywoman Tanner. I would like to say that I am very happy you came, and it

has been wonderful listening to you, and it has, but I am not really happy about what we have heard today. I am really not.

I think the people of the San Gabriel Valley, the consumers, the small business persons, and you must know that is the mandate, that is the charge of this subcommittee. We are a subcommittee of the Small Business Committee in Congress. We are here to also protect their interests as much as the consumers are protected and the problems that ensue in this valley. But all of them, the consumers, and the small businesses, and all of the residents, are entitled to better treatment, I believe, by the State and Federal agencies that are designated to help them.

I certainly want to echo Assemblywoman Tanner's comments there. I have come to the conclusion, ladies and gentlemen, that we just simply have not been vocal enough. We really have not. I share the frustrations of this last panel, all of you, in terms of what you feel is the real problem out there, because we have been unable to get Mr. Reilly down here. You know how hard we fought to get Mr. Reilly, the Administrator.

We fought very hard to get Mr. McGovern, the Regional Administrator, down. Well, we got Mr. Zelikson down, but Mr. Zelikson, as we pointed out earlier, is the technician. He is the man who knows the technical questions. What about the policymakers? How about the man in San Francisco or in Washington, DC.?

Well, because you have been vocal, I have asked Administrator Reilly to convene a meeting, along with other legislators who were here today, with us in Washington. I have been assured by Mr. Reilly that this meeting will take place immediately after the first of the year. If we can begin to move at least in some positive direction, I think that we can do so at a meeting like that.

Some of the issues that were raised here today go to the very heart and the very nature of Superfund. I am going to see to it that as Congress takes up the Superfund reauthorization in the 102d Congress, that this hearing record, what we have heard today, your comments, your concerns, your frustrations, the technical aspects, that these are made known to the chairman of the Energy and Commerce Committee, Mr. Dingell, as we begin to look at the whole question of Superfund early in the next congressional session.

I liked today, as an example, the suggestion that Mr. Matthews had proposed, some of you may recall that, this whole notion of the upfront, you called it a different word, what did you call it? The pumping assessment. The fact that some companies can begin to pay up front, responsible parties or not, in a way that we can get this upfront money. I very much like that idea, and I am going to present legislation that will direct EPA to begin construction immediately on this Azusa/Baldwin Park and Whittier Narrows water treatment facilities.

I think that is critical. I think that is absolutely critical, and that is why I intend to work through the California congressional legislation. I am so happy that Congressman Levine was here today, Congressman Dreier on the other side. That Congressman Berman, and especially Congressman Anderson, who is the chairman of the Public Works Committee, has taken a deep interest in what is hap-

pening here in this valley because it impacts on what happens in the Central Basin where he is also a representative.

So, I can tell you that the California delegation, along with the California legislative organization down here, Ms. Tanner included, are going to help us in getting through the strongest possible legislation. I believe the time for action has come now, and that is why I was happy about this hearing today. I think, ladies and gentlemen, we have just waited too long, long enough.

Thank you very much. This meeting is now adjourned.

[Whereupon, at 12:25 p.m. the subcommittee was adjourned, subject to the call of the chair.]

APPENDIX

OPENING STATEMENT

ESTEBAN E. TORRES

Chairman

Environment & Labor Subcommittee

United States House of Representatives

Committee on Small Business

Hearing on

San Gabriel Valley

Groundwater Contamination

Tuesday, October 30, 1990

at 9:00 AM

at Baldwin Park City Council Chambers

14403 E. Pacific Avenue

Baldwin Park, CA 91706

I would like to thank you all for coming here today. I would especially like to thank my friends, Luigi Vernola, from the City of Norwalk and Betty Lowes from the beautiful City of Baldwin Park, our host for this important meeting. Additionally, I would like to thank Assemblywoman Tanner for taking time out from her busy schedule to join us today. I would also like to take this opportunity to publicly praise Mrs. Tanner for her unceasing efforts to resolve the contamination problems in the San Gabriel groundwater aquifer. Mrs. Tanner has done a tremendous job and she deserves our heartfelt thanks.

I'm sure that some of you here today are saying "So, now what. What have these people got to say that is new?"

The Subcommittee is interested in an explanation of what our future holds. I, for one, am tired of hearing the excuse that it will take a few more years of study -- to complete a proposal -- that will then take a few more years of design -- in order to begin to build a treatment facility -- that will begin to provide safe drinking water for the people in the San Gabriel Valley.

I would like to make it very clear to the witnesses who are going to testify today, that I am real tired of the bureaucratic delays in getting the clean-up project off the ground. So far, I've been patient, maybe too patient. All I can see that has been accomplished by all of the state and federal agencies responsible for the clean up is the construction of the Richwood Treatment system and the possible identification of some of the responsible parties in the Azusa/Baldwin Park area. Aside from that, I see an awful lot of money being spent on consultant 'studies.' Right now, I feel that the federal and state agencies responsible for the clean up are simply not doing enough. First and foremost today, I'd like EPA to convince this Subcommittee that they are, in fact, doing all that they can to resolve the contamination problem in the San Gabriel Valley.

So, lets begin with Mr. Jeff Zelikson from the Environmental Protection Agency. Mr. Zelikson will be joined by Neil Ziemba, EPA's Project Manager for the San Gabriel Groundwater Superfund sites.

While normally the Subcommittee likes to attempt to get the witnesses to limit their oral testimony to five (5) minutes, I have already informed Mr. Zelikson that he will have as much time as he needs in order to give a clear and concise explanation of EPA's activities and plans. However, the rest of the witnesses will be requested to keep their oral presentation to within the five minute time limit. Of course, all of written testimony will be entered into the record in its entirety.

TESTIMONY OF THE HONORABLE GLENN M. ANDERSON
REPRESENTATIVE OF THE 32ND DISTRICT OF CALIFORNIA

BEFORE THE SUBCOMMITTEE ON ENVIRONMENT AND LABOR
TUESDAY, OCTOBER 30, 1990

ANYONE ASSOCIATED WITH THE SAN GABRIEL SUPERFUND SITES, AND THEIR CORRESPONDING GROUNDWATER CONTAMINATION PROBLEMS, RECOGNIZE THEM AS A TREMENDOUS PROBLEM, AND RIGHTFULLY SO. IF USE OF THIS BASIN IS LOST TO THE STATE, THE COST TO THE TAXPAYERS, AND THE EFFECT ON THE STATE'S WATER SUPPLY WILL BE ENORMOUS. FORTUNATELY, CONGRESSMAN TORRES AND THIS SUBCOMMITTEE HAVE WORKED TIRELESSLY TO ENSURE THAT THIS PROBLEM RECEIVES THE ATTENTION IT DESERVES. I WISH TO THANK CONGRESSMAN TORRES AND THIS SUBCOMMITTEE FOR ALL THEIR EFFORTS IN ADDRESSING THIS CRITICAL ISSUE.

WHILE MOST THE TESTIMONY HEARD BEFORE THIS SUBCOMMITTEE IN THE PAST, AND I EXPECT TODAY AND IN THE FUTURE, WILL CENTER AROUND THE SAN GABRIEL VALLEY, MY PURPOSE IS TO HIGHLIGHT THE CONTAMINATION PROBLEMS THAT THE SAN GABRIEL VALLEY POSES TO THE CENTRAL BASIN AND MY CONSTITUENCY IN PARTICULAR. IT IS PAINFULLY CLEAR THAT THE LONGER IT TAKES TO CLEAN-UP THE SAN GABRIEL VALLEY WILL RESULT IN INCREASED WATER CONTAMINATION IN THE CENTRAL BASIN.

BEFORE I GO ANY FURTHER, LET ME JUST THANK THE EPA STAFF AT REGION 9 FOR HOLDING A BRIEFING ON THIS ISSUE FOR CENTRAL BASIN CITIES IN LAKEWOOD, CALIFORNIA, ON AUGUST 30, 1990. IT IS OBVIOUS THAT THE MAGNITUDE OF THIS PROBLEM, AND ITS CORRESPONDING DRAIN ON SCARCE RESOURCES, PRECLUDES EPA FROM MEETING WITH ALL CONCERNED PARTIES EACH TIME SUCH A BRIEFING IS REQUESTED. FOR THIS REASON, I APPRECIATE THE TIME AND ASSISTANCE AFFORDED BY EPA TO THE MANY AREAS IN MY DISTRICT THAT ARE AFFECTED BY THE SAN GABRIEL CONTAMINATION PROBLEM.

THE THREAT THAT SAN GABRIEL VALLEY GROUNDWATER CONTAMINATION POSES TO CENTRAL BASIN WATER IS NOT MERE SPECULATION. EVEN EPA'S OWN STUDIES OF TEST WELLS AT THE WHITTIER NARROWS DOCUMENTS A PLUME OF INDUSTRIAL AND AGRICULTURAL TOXINS "UP STEAM' FROM THE WELLS WHICH SUPPLY CENTRAL BASIN CITIES. IN HIS TESTIMONY BEFORE THIS SUBCOMMITTEE ON JUNE 5, 1989, DAVID WILLIS, DEPUTY DIRECTOR OF THE TOXIC SUBSTANCES CONTROL DIVISION OF THE CALIFORNIA DEPARTMENT OF HEALTH SERVICES, STATED THAT "GROUND WATER MIGRATES AT A RATE OF 50 TO 1000 FEET PER YEAR FROM THE BASIN MARGINS THROUGH THE WHITTIER NARROWS AND DISCHARGES INTO THE CENTRAL GROUNDWATER BASIN."

I AM QUITE CONFIDENT THAT EPA'S OWN STUDIES ON GROUNDWATER CONTAMINATION MIGRATION, CURRENTLY BEING UNDERTAKEN AND EXPECTED TO TAKE FIVE YEARS, WILL SHOW THE SAME RESULTS. HOWEVER, UPON COMPLETION OF THESE STUDIES, FIVE YEARS OF MIGRATION WILL HAVE ALREADY TAKEN PLACE, RESULTING IN HIGHER CONTAMINATION LEVELS IN THE CENTRAL BASIN, AND INCREASED COSTS FOR CLEAN-UP. ALREADY, THE CENTRAL GROUNDWATER BASIN HAS ISOLATED AREAS OF CONTAMINATION ENCOMPASSING 20 OF 300 WELL LOCATIONS.

EPA'S CURRENT PROPOSAL TO CONSTRUCT WATER PUMPING STATIONS IN AND AROUND THE WHITTIER NARROWS TO TREAT AND CLEAN THE CONTAMINATED WATER, ENJOYS MY STRONG SUPPORT. THESE STATIONS WILL CAPTURE SAN GABRIEL VALLEY CONTAMINATED WATER AT THE WHITTIER NARROWS, ONE OF ITS PRIMARY ENTRY POINTS, THEREBY REDUCING EXISTING WATER CONTAMINATION, AS WELL AS WATER CONTAMINATION MIGRATION INTO THE CENTRAL BASIN'S WATER SUPPLY. IT IS MY UNDERSTANDING THAT THE BARTOLO WELL FIELD PROPOSAL IS IN THE DESIGN PHASE WITH COMPLETED PLANS EXPECTED NEXT SPRING. AFTER EIGHT YEARS OF STUDY, I AM HAPPY TO SEE THAT PROGRESS HAS BEEN MADE, HOWEVER, STUDIES AND DISCUSSIONS ARE NOT GOING TO ALLEVIATE THE CONTAMINATION PROBLEM. CLEAN-UP MUST BEGIN IMMEDIATELY.

EPA'S PLAN FOR A SECOND PUMPING STATION, THE WHITTIER NARROWS OPERABLE UNIT, IS STILL IN QUESTION. A DRAFT FEASIBILITY STUDY HAS BEEN COMPLETED, WITH A FINAL REPORT EXPECTED TO BE COMPLETED BY NEXT SPRING. I WOULD ASK EPA TO KEEP ME POSTED ON THE PROGRESS OF THESE STUDIES. IN PARTICULAR, I WOULD LIKE TO KNOW IF THERE ARE ANY DELAYS IN COMPLETION OF THE STUDIES OR IF FUNDING FOR THE RECOMMENDED OPTIONS FOR THE WHITTIER NARROWS OPERABLE UNIT ARE IN DOUBT.

BECAUSE OF LIMITED RESOURCES OF REGULATORY AGENCIES AT THE REGIONAL, STATE AND FEDERAL LEVELS OF GOVERNMENT, LOCAL LEADERSHIP IS ESSENTIAL TO PROTECT BOTH THE SAN GABRIEL VALLEY AND THE CENTRAL BASIN WATER SUPPLIES. THE CENTRAL BASIN MUNICIPAL WATER DISTRICT, AND THE CENTRAL AND WEST BASIN WATER REPLENISHMENT DISTRICTS HAVE TAKEN STEPS TO BECOME ACTIVELY INVOLVED IN THE PROTECTION OF THE CENTRAL BASIN FROM GOUNDWATER CONTAMINATION THAT EXIST IN THE SAN GABRIEL BASIN. IN ADDITION, THEY HAVE ALLOCATED FUNDS FOR THE IMPLEMENTATION OF REMEDIATION PROGRAMS TO TREAT LOCALIZED GROUNDWATER CONTAMINATION. RECENTLY THE CITY OF LAKEWOOD ADOPTED RESOLUTION 90-60 WITH RESPECT TO CENTRAL BASIN CONTAMINATION. I WOULD LIKE TO HAVE THIS RESOLUTION APPEAR IN THE RECORD AT THE CONCLUSION OF MY TESTIMONY. IN SHORT, THIS RESOLUTION ECHOES THE CONCERNS OF THE CENTRAL BASIN CITIES, AND PROPOSES THEIR RECOMMENDATIONS FOR EFFECTIVE CLEAN-UP.

BECAUSE THE CITY OF LONG BEACH, THE LARGEST CITY IN THE 32ND CONGRESSIONAL DISTRICT, IS A MEMBER AGENCY OF THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA AND NOT A SUB-AGENCY OF THE CENTRAL BASIN MUNICIPAL WATER DISTRICT, IT IS NOT PARTICULARLY MENTIONED IN THIS RESOLUTION. HOWEVER, I CAN SAFELY SAY THAT THE CITY'S VIEWS ARE WELL REPRESENTED BY RESOLUTION 90-60. I URGE EPA TO HEED THE CONCERNS AND RECOMMENDATIONS HIGHLIGHTED IN THE RESOLUTION, AND TO WORK WITH THESE LOCAL AGENCIES ON ALL CLEAN-UP EFFORTS.

IN CLOSING, LET ME REITERATE MY BELIEF, AND THAT OF MANY, THAT SAN GABRIEL VALLEY WATER CONTAMINATION IS ONE OF THE GREATEST ENVIRONMENTAL CONCERNS IN THE NATION, AND MOST DEFINITELY IN CALIFORNIA. AGAIN, I WISH TO THANK CHAIRMAN TORRES FOR HIS EFFORTS ON THIS ISSUE, AND TO REASSURE HIM THAT I WILL WORK CLOSELY WITH HIM AND THIS SUBCOMMITTEE TO ALLEVIATE THIS HAZARD. MOREOVER, AS THE HOUSE OF REPRESENTATIVE'S PUBLIC WORKS AND TRANSPORTATION COMMITTEE, OF WHICH I CHAIR, BEGINS ITS WORK EARLY NEXT YEAR ON REAUTHORIZATION OF THE "CLEAN WATER ACT", I OFFER MY ASSURANCES THAT THIS ISSUE WILL RECEIVE SUBSTANTIAL ATTENTION.

RESOLUTION 90-60

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD ENCOURAGING LOCAL AND REGIONAL AGENCIES TO WORK COOPERATIVELY TO FIND A RAPID RESOLUTION TO THE WATER QUALITY PROBLEMS THAT EXIST IN CENTRAL AND SAN GABRIEL BASINS AND RECOMMENDING AN ACTION PLAN TO ENSURE THE RELIABILITY OF THE GROUNDWATER SUPPLY.

WHEREAS, the San Gabriel Groundwater Basin has been named a United States Environmental Protection Agency (EPA) Superfund site due to the existence of volatile organic compounds (VOCs) in the groundwater table; and

WHEREAS, eight years of EPA study and $14 million of study expenses has not resulted in any expenditure for groundwater cleanup; and

WHEREAS, the Central Groundwater Basin also has isolated areas of contamination currently encompassing 20 of 300 well locations; and

WHEREAS, the EPA has published a draft White Paper which suggests the establishment of a single agency with the authority to collect funds to pay the costs and direct the remediation activities involved in cleaning up the San Gabriel Basin; and

WHEREAS, the Regional Water Quality Control Board is woefully understaffed for the magnitude of preventive inspections and Superfund cleanup investigations required in the Los Angeles County area; and

WHEREAS, the Central Basin Municipal Water District, and the Central and West Basin Water Replenishment Districts have taken steps to become actively involved in the protection of the Central Basin from the groundwater contamination that exists in the San Gabriel Basin, and have allocated funds for the implementation of remediation programs to treat localized groundwater contamination; and

WHEREAS, the programs under deliberation by the Central and West Basin Replenishment Districts include proposed state legislation authorizing the levying of additional groundwater extraction fees up to 50 percent to cover the cost of remediation; and

WHEREAS, the protection of the local groundwater supply is a concern of all levels of government and of primary importance to the local municipalities in the Los Angeles County area; and

of local aquifers to contamination migration at various pumping depths is hereby endorsed.

ADOPTED AND APPROVED this 26th day of June, 1990.

Wayne E. Feeney
Mayor

ATTEST:

Jack Hunsinger
City Clerk

WHEREAS, local leadership is essential to protect the Central Basin's water supply, because of limited resources of regulatory agencies at the regional, state and federal levels of government;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKEWOOD DECLARES THAT THE VULNERABILITY OF GROUNDWATER IN THE CENTRAL BASIN IS A MATTER OF URGENT LOCAL INTEREST AND HEREBY RESOLVES THAT THE FOLLOWING ACTION PLAN BE UNDERTAKEN TO ENSURE THE RELIABILITY OF THE LOCAL WATER SUPPLY:

1. In order to foster coordinated groundwater management, State enabling legislation is hereby endorsed to (a) authorize a Central Basin agency to undertake groundwater remediation and prevention activities and to (b) consolidate or formally coordinate the groundwater policies and activities of the Central Basin Municipal Water District and the Central and West Basin Replenishment District.

2. Municipal agencies in the Central Basin are hereby requested to:

   (a) Assign technical staff to the urgent task of developing cooperative measures and flexible funding alternatives for well-head treatment measures to protect groundwater resources from local and migrating contaminants.

   (b) Cooperatively monitor and participate in activities of the Central Basin Municipal Water District and the Central and West Basin Replenishment District. Cooperative municipal oversight should foster coordinated groundwater management and enhanced public understanding of groundwater quality issues and policy alternatives.

3. An integrated local management program is hereby encouraged in the San Gabriel Basin to oversee the collection of funds and remediation activities to prevent its contamination from spreading to the Central Groundwater Basin.

4. The U.S. Environmental Protection Agency is hereby requested to:

   (a) Upgrade the relatively low priority it places on preventing the spread of San Gabriel Basin contamination plumes and

   (b) Conduct a public workshop in the Central Basin on the status of its prevention efforts at the Whittier Narrows.

5. The proposed Central Basin scientific study to assess the vulnerability

MAYOR LUIGI A. VERNOLA
CITY OF NORWALK

TESTIMONY FOR HOUSE OF REPRESENTATIVES ENVIRONMENT AND LABOR SUBCOMMITTEE

TUESDAY, OCTOBER 30, 1990
9:00 AM
BALDWIN PARK CITY COUNCIL CHAMBERS
14403 E. PACIFIC AVENUE
BALDWIN PARK, CA 91706

Honorable Congressman Torres and fellow members of the Environment and Labor Subcommittee, thank you for this opportunity to testify before you today.

Today I wish to address issues concerning the EPA's Basinwide Technical Plan and other water quality issues of considerable importance that face the City of Norwalk, California

EPA's Basinwide Technical Plan is a blueprint for a long-term program in this area to control and treat contamination in the Valley. It is a multi-stage approach to remediation of contamination of groundwater supplies in the area. There are two stages, the second of which is most critical to the City of Norwalk. In this plan, EPA proposes as the first priority, to coordinate an effort to reactivate large extraction wells in the Azusa/Baldwin Park Area to remove contamination from the basin before spreading further.

A lesser priority is to construct a barrier of extraction wells to prevent contamination in the Puente Valley area from spreading further and contaminating some of the most important production wells in the basin. The City of Norwalk feels strongly that a barrier of extraction wells should be established immediately at the mouth of the Puente Valley so that no more contamination will flow into our area through the Whittier Narrows. Norwalk supports the Barrier Wells as the first priority rather than the second priority as established in the EPA plan. Secondly, Norwalk is working with other cities in the area to form a strong coalition to protect the watershed in this area. It is most important that the role of the central basin communities be expanded because of the impact on our local water supply. This coalition group is being established to ensure that our efforts are focused toward the end-goal, a protection of our water supplies from further contamination and to ensure that our concerns are carefully evaluated by all parties throughout this overall remediation effort.

In summary, the City of Norwalk is in support of a Federal plan to address Basinwide Groundwater Contamination. As the City that has taken the lead in bringing together the ten city coalition representing over 10 million people, we feel that the first priority in the plan should be the creation of the barrier wells so that the water supplies of this coalition will be protected from further contamination. We are committed

to the mobilization of a joint effort to ensure the protection of the basin's groundwater supplies. We respectfully request your support of this coalition so we may proceed to effectively reach that goal. I am pleased to be before you today to discuss these critical issues on behalf of the City of Norwalk and other members of our coalition not present today and we hope our efforts will receive your support.

Thank you.

UNITED STATES HOUSE OF REPRESENTATIVES
COMMITTEE ON SMALL BUSINESS
SUBCOMMITTEE ON ENVIRONMENT AND LABOR

October 30, 1990

Hearing On
Management of the San Gabriel Valley
Superfund Sites I - IV

Testimony by Vice Mayor Robert G. Wagner
Lakewood, California

I am Robert G. Wagner, Vice Mayor of Lakewood, and a resident of the Central Groundwater Basin. Today's hearing focuses on Superfund sites in the San Gabriel Valley and the extent of groundwater pollution in the San Gabriel Basin.

Although I represent constituents in the Central Groundwater Basin, and not in the San Gabriel Valley, it is impossible to separate these two regions. They are linked by geology and by a common threat to their groundwater resources.

The Central Basin extends from the Whittier Narrows in the north to Long Beach in the south and includes twenty-seven Los Angeles County cities and unincorporated areas.

For most Central Groundwater Basin residents, drinking water flows from wells that tap aquifers as deep as a thousand feet underground. But, the water that once flowed clean and pure from these wells is now threatened by industrial contaminants and toxic pollutants.

Years of illegal dumping by unscrupulous industries, and the lack of coordination among regional water agencies, have already led to the temporary closing of wells in South Gate, Downey, Norwalk, and other Central Basin cities.

Well closures have delivered a clear warning.

Today, Central Basin cities are working together to protect our groundwater resources from a shameful legacy of industrial and agricultural pollution:

■ The cities of Norwalk and Lakewood have formed an "environmentalist coalition" with twenty-one other cities in the Central Basin to address the local contamination threat.

■ Coalition cities are now forming a technical advisory panel to review the extent of local contamination, as well as proposals to stop the spread of groundwater pollution from sources outside the Central Basin.

■ Nearly twenty cities in the Central Basin have joined Lakewood and Norwalk in a call for greater coordination between the basin's two water agencies. Duplication of effort and fragmented authority have left the Central Basin with a history of missed opportunities to take action on water quality issues.

■ The California Legislature has already given the Central and West Basin Water Replenishment District broad authority to begin water clean-up activities. The costs for these measures would be levied on Central Basin water purveyors and could reach five million dollars a year.

Too Long A Wait

Central Basin cities are facing the threat posed by purely local sources of groundwater contamination.

Well beyond our limited resources looms the single greatest threat to the quality of Central Basin water -- the profoundly polluted San Gabriel Groundwater Basin.

The Environmental Protection Agency calls the San Gabriel Basin the "most polluted groundwater basin in the nation." EPA officials predict that current costs for mitigation efforts may total more than eight hundred million dollars.

The plume of highly contaminated water in the San Gabriel Basin is pointed like a gun at the Central Basin. The barrel of this "lethal weapon" is the Whittier Narrows, a natural gap in the Whittier hills which provides unchecked access to the groundwater of the Central Basin.

In August, Congressman Glenn Anderson responded to Lakewood's request that the EPA provide its first-ever briefing for Central Basin cities on groundwater contamination and the threat from pollution in the San Gabriel Basin.

During the briefing, EPA officials -- including some of those at this hearing -- admitted that:

1. Contaminants from the San Gabriel Basin are already flowing into Central Basin aquifers and some shallow aquifers may now be contaminated.
2. Nothing will limit the flow of contaminants into the Central Basin except the construction of the Whittier Narrows Operable Unit, which the EPA proposes to build in the San Gabriel Valley.

3. The EPA's initial request for development funds to build another unit further "downstream" to limit the migration of contaminants into the Central Basin is at least two years away.

Water consumers have waited more than five years for the EPA and regional water agencies to take action on the tide of contaminants building up at the entrance to the Central Basin.

More studies of the problem and even more delays are unacceptable alternatives. While we wait, the cost to preserve our clean water grows ever greater.

Central Basin water purveyors satisfy most of the water needs of 1.8 million people from three hundred municipal and privately-owned wells in the basin. I cannot begin to estimate the clean-up cost if the Central Basin became as polluted as the San Gabriel Basin.

An Action Plan For Water Protection

Central Basin cities are working together on measures to protect groundwater quality within the basin. These efforts will require more effective coordination among regional agencies. Local clean-up measures may also lead to increased costs for Central Basin water purveyors and their customers.

But, local efforts are only part of the much larger effort that is required to prevent the Central Basin from becoming a billion-dollar replay of the San Gabriel Basin.

Central Basin cities urge you consider a realistic "action plan" for groundwater protection:

1. Request that the EPA formally recognize the coalition of Central Basin cities, led by Lakewood and Norwalk, and include member cities in the agency's deliberations on groundwater contamination and pollution mitigation measures.
2. Assist the technical committee of the Central Basin coalition in gaining access to EPA data to review of the agency's analysis of the groundwater contamination threat. We believe that some of the EPA's assumptions may underestimate the rate at which contaminants are flowing into the Central Basin from the San Gabriel Basin. The use of drought year data to calculate the amount of water passing from the San Gabriel Basin into the Central Basin, for example, may give a false picture of the rate at which pollutants will migrate into the Central Basin.
3. Ask Congress to open new channels of communication between cities and the EPA. To prevent the start of an adversarial relationship, EPA and Central Basin representatives should meet regularly on the status of Superfund projects and the flow of contaminants into the basin.

Finally, the members of the subcommittee will have the opportunity next year to give new direction to groundwater protection in legislation to reauthorize the federal Safe Drinking Water Act.

The new Safe Drinking Water Act should give priority to groundwater protection and to containing the movement of contaminated groundwater into basins -- like the Central Groundwater Basin -- where pure, clean water still flows.

Conclusion

In concluding my presentation, I would like to express my appreciation to the elected officials of the San Gabriel Valley who have lived with the reality of groundwater pollution for more than a decade and who have tested their leadership in the difficult task of addressing this problem.

I would also like to acknowledge the leadership shown by Mayor Vernola and the City of Norwalk in their efforts to protect the quality of our region's groundwater resources.

And, I want to thank Congressman Torres for his assistance in making possible my presentation at this hearing and for his concern for the quality and safety of Southern California's water.

RESOLUTION 90-60

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD ENCOURAGING LOCAL AND REGIONAL AGENCIES TO WORK COOPERATIVELY TO FIND A RAPID RESOLUTION TO THE WATER QUALITY PROBLEMS THAT EXIST IN CENTRAL AND SAN GABRIEL BASINS AND RECOMMENDING AN ACTION PLAN TO ENSURE THE RELIABILITY OF THE GROUNDWATER SUPPLY.

WHEREAS, the San Gabriel Groundwater Basin has been named a United States Environmental Protection Agency (EPA) Superfund site due to the existence of volatile organic compounds (VOCs) in the groundwater table; and

WHEREAS, eight years of EPA study and $14 million of study expenses has not resulted in any expenditure for groundwater cleanup; and

WHEREAS, the Central Groundwater Basin also has isolated areas of contamination currently encompassing 20 of 300 well locations; and

WHEREAS, the EPA has published a draft White Paper which suggests the establishment of a single agency with the authority to collect funds to pay the costs and direct the remediation activities involved in cleaning up the San Gabriel Basin; and

WHEREAS, the Regional Water Quality Control Board is woefully understaffed for the magnitude of preventive inspections and Superfund cleanup investigations required in the Los Angeles County area; and

WHEREAS, the Central Basin Municipal Water District, and the Central and West Basin Water Replenishment Districts have taken steps to become actively involved in the protection of the Central Basin from the groundwater contamination that exists in the San Gabriel Basin, and have allocated funds for the implementation of remediation programs to treat localized groundwater contamination; and

WHEREAS, the programs under deliberation by the Central and West Basin Replenishment Districts include proposed state legislation authorizing the levying of additional groundwater extraction fees up to 50 percent to cover the cost of remediation; and

WHEREAS, the protection of the local groundwater supply is a concern of all levels of government and of primary importance to the local municipalities in the Los Angeles County area; and

WHEREAS, local leadership is essential to protect the Central Basin's water supply, because of limited resources of regulatory agencies at the regional, state and federal levels of government;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKEWOOD DECLARES THAT THE VULNERABILITY OF GROUNDWATER IN THE CENTRAL BASIN IS A MATTER OF URGENT LOCAL INTEREST AND HEREBY RESOLVES THAT THE FOLLOWING ACTION PLAN BE UNDERTAKEN TO ENSURE THE RELIABILITY OF THE LOCAL WATER SUPPLY:

1. In order to foster coordinated groundwater management, State enabling legislation is hereby endorsed to (a) authorize a Central Basin agency to undertake groundwater remediation and prevention activities and to (b) consolidate or formally coordinate the groundwater policies and activities of the Central Basin Municipal Water District and the Central and West Basin Replenishment District.

2. Municipal agencies in the Central Basin are hereby requested to:

   (a) Assign technical staff to the urgent task of developing cooperative measures and flexible funding alternatives for well-head treatment measures to protect groundwater resources from local and migrating contaminants.

   (b) Cooperatively monitor and participate in activities of the Central Basin Municipal Water District and the Central and West Basin Replenishment District. Cooperative municipal oversight should foster coordinated groundwater management and enhanced public understanding of groundwater quality issues and policy alternatives.

3. An integrated local management program is hereby encouraged in the San Gabriel Basin to oversee the collection of funds and remediation activities to prevent its contamination from spreading to the Central Groundwater Basin.

4. The U.S. Environmental Protection Agency is hereby requested to:

   (a) Upgrade the relatively low priority it places on preventing the spread of San Gabriel Basin contamination plumes and

   (b) Conduct a public workshop in the Central Basin on the status of its prevention efforts at the Whittier Narrows.

5. The proposed Central Basin scientific study to assess the vulnerability

of local aquifers to contamination migration at various pumping depths is hereby endorsed.

ADOPTED AND APPROVED this 26th day of June, 1990.

Wayne E. Feeney
Mayor

ATTEST:

Jack Huntsinger
City Clerk

AS OF 10/19/90

MUNICIPALITIES IN THE CENTRAL BASIN

GROUNDWATER QUALITY RESOLUTION

	CITY	DATE PASSED
1.	Artesia	
2.	Bell	
3.	*Bellflower	7/23/90
4.	*Bell Gardens	8/13/90
5.	*Cerritos	7/18/90
6.	Commerce	
7.	*Compton	9/11/90
8.	*Cudahy	10/01/90
9.	*Downey	10/09/90
10.	*Hawaiian Gardens	8/28/90
11.	Huntington Park	
12.	La Habra Heights	
13.	*Lakewood	6/26/90
14.	*La Mirada	8/28/90
15.	Long Beach	
16.	Los Angeles	
17.	*Lynwood	9/08/90
18.	Maywood	
19.	Montebello	
20.	*Norwalk	7/02/90
21.	*Paramount	8/07/90
22.	*Pico Rivera	7/16/90
23.	*Santa Fe Springs	8/23/90
24.	*Signal Hill	9/18/90
25.	*South Gate	7/23/90
26.	Vernon	
27.	*Whittier	9/25/90

* Waster Quality Resolution Adopted By Municipality.

The Cities of Los Angeles, Compton and Long Beach are not sub-agencies of Central Basin Municipal Water District; instead they are members agencies of Metropolitan Water District of Southern California.

FIGURE 1 - CENTRAL BASIN

TESTIMONY OF

JEFF ZELIKSON

DIRECTOR, HAZARDOUS WASTE MANAGEMENT DIVISION

U.S. ENVIRONMENTAL PROTECTION AGENCY REGION IX OFFICE

BEFORE THE

SUBCOMMITTEE ON ENVIRONMENT AND LABOR

OF THE

COMMITTEE ON SMALL BUSINESS

UNITED STATES HOUSE OF REPRESENTATIVES

BALDWIN PARK, CALIFORNIA

OCTOBER 30, 1990

Good morning. I am Jeff Zeliksen, Director of the Hazardous Waste Management Division in the Environmental Protection Agency's (EPA) Region IX Office in San Francisco. The scope of my responsibilities includes managing the Superfund and RCRA programs throughout the Region IX area--California, Arizona, Nevada, Hawaii, and the Pacific Islands. With me today is Neil Ziemba, the senior project manager for the San Gabriel area. I want to thank you for this opportunity to discuss EPA's management of the San Gabriel Valley Superfund sites.

Much progress has been made since I addressed this Committee in your hearing in June of last year. One of our major efforts has been the preparation of the San Gabriel Basinwide Technical Plan, which was released to the public for review and comment in April, 1990. The Basinwide Technical Plan describes a long-term program to manage the extensive groundwater contamination of the San Gabriel Valley, and will guide future investigations, remedial actions, and source investigations over the course of the next several decades. The release of the Basinwide Technical Plan was accompanied by a "White Paper," co-authored by EPA, the State Water Resources Control Board, and the Los Angeles Regional Water Quality Control Board, that describes institutional and financial issues relating to implementation of the Basinwide Technical Plan, and recommends short- and long-term actions to resolve these issues.

The Basinwide Technical Plan represents EPA's recommendations on how to proceed with cleanup in the San Gabriel Valley, based on the results of over five years of investigation of the groundwater contamination problem. Our investigation has led to the following conclusions:

- Groundwater contamination is widespread, covering over 30 square miles of the basin. Approximately one quarter of the basin's 250 water supply wells are contaminated by volatile organic compounds at levels above EPA and State drinking water standards.

- o Modeling of groundwater flow patterns predict that, unless cleanup actions are initiated, contamination may spread to over 60 square miles of the basin within the next 20 years. If this occurs, approximately 55-70 additional water supply wells may be affected by the contamination.
- o Contamination of the basin is so widespread that remediation will take decades. Due to the nature of the contaminants present in the basin's groundwater, it is uncertain whether we have the ability with current technology to completely "clean up" the basin. In any case, contamination will continue to be present in the basin for decades. Therefore, we need to understand that there will be no quick fix "cleanup" program that will solve this problem in the next few years. Instead, the challenge facing us is how to "manage" the water resources of the basin so that water quality can be preserved where currently adequate and improved where contamination is present, while the basin continues to supply the water needs of San Gabriel Valley residents and play its important role in California's overall water supply.
- o The location and rate of groundwater extraction is a major factor in determining the movement of contamination. Therefore, the key to a successful management program for controlling the spread of contamination into presently uncontaminated areas is coordination of local production

of groundwater and recharge of the groundwater basin, and treatment of contaminated water. A more active water quality management program is needed to ensure that water supply decisions made by water suppliers in the basin contribute to maintaining or improving the basin's overall water quality.

- The need to coordinate the actions of local water agencies underscores the fact that EPA alone cannot solve this problem. It will require an unprecedented cooperative program involving actions by EPA and state and local agencies. We are pleased with the leadership shown by the California State Water Resources Control Board and the Los Angeles Regional Water Quality Control Board in working with other state and local agencies to develop a water quality management program for the San Gabriel Valley.

In developing EPA's recommendations for long-term remediation of the basin, five objectives have been identified:

1) Protect public health by preventing exposure of the public to groundwater with contaminant concentrations greater than federal and state drinking water standards.
2) Maintain an adequate water supply in the San Gabriel Valley.
3) Protect natural resources.

4) Control the spread of contaminated groundwater.

5) Remove contamination from the groundwater basin.

EPA's investigations to date make it clear that it is important to initiate cleanup actions as soon as possible to limit the continued spread of contamination throughout the basin. Unfortunately, we have estimated that to conduct a complete investigation of the basin and develop comprehensive cleanup action alternatives for meeting all five objectives would take up to ten years or more and tens of millions of dollars. To begin cleanup more quickly, the Basinwide Technical Plan proposes a multi-stage approach to remediation of the basin's groundwater contamination problem. Rather than investigating until we have enough information to develop a comprehensive basinwide cleanup action, EPA will initiate early cleanup actions in high priority areas, while gathering information to plan future actions in other areas. Proceeding in this manner, however, will require careful planning to ensure that none of the early actions implemented create adverse effects within the basin, such as the unintended spread of contamination into clean areas.

Specific activities have been organized into a series of stages. Each stage consists of a number of investigations and cleanup actions to address the areas of most concern and provide data that will allow planning and implementation of the next

stage. Cleanup actions will build on the results of previous actions and help define future actions. Through careful selection and early implementation of cleanup actions, EPA can achieve the first two objectives--protect public health and maintain an adequate water supply for the valley--and begin to achieve the other objectives, such as controlling the spread of contamination, while gathering information to determine whether attaining these other objectives is feasible.

To illustrate this concept, let us examine the Baldwin Park/Azusa area, which is the location of EPA's highest priority action for the next stage of the basin cleanup project. This area is the largest area of contamination in the basin and the area where the highest levels of contamination in water supply wells have been found. The contaminated area covers over 10 square miles of the valley. Information about the extent of contamination is limited primarily to water quality data from production wells that are often over a mile apart. We currently do not have enough detailed information to develop alternatives for completely controlling the spread of contamination within this area. To obtain this information would require the installation of an extensive new monitoring well system. A single monitoring well cluster that provides data on the water quality at different depths at a single location may cost up to $500,000 to install in areas of Baldwin Park where the basin

xtends to over 1000 feet in depth. Thus, a comprehensive investigation would take millions of dollars and several years to complete to develop and evaluate alternatives to completely control the spread of contamination. During this time, however, contamination would continue to spread.

Therefore, EPA is proposing to conduct limited investigations in the Baldwin Park area at this time, including installation of a single deep (1500 feet in depth) monitoring well, and sampling of existing wells. The data from this limited investigation will be used to evaluate an initial cleanup action based on extracting contaminated water from existing wells in the ea, treating the water, and using the treated water for water supply purposes. By providing a source of water that meets drinking water standards, EPA will ensure that residents in this area of the valley have an adequate water supply and are not exposed to contaminated groundwater. In addition, by extracting and treating water from existing contaminated wells, this project will begin to remove a large amount of contamination and begin to control its spread, albeit not completely. EPA plans to fund the completion of the investigation and feasibility study to develop a proposed plan for cleanup in this area and use its enforcement authorities to compel potentially responsible parties to provide funding for project implementation.

EPA will also install new monitoring wells as part of the action. Resultant groundwater monitoring data will allow EPA to determine whether additional actions are necessary to more effectively control the spread of contamination, and whether such control or total "cleanup" of the basin to drinking water standards is possible. If better contaminant migration control or removal is determined to be feasible, an additional cleanup action can be planned as part of a future stage of the cleanup.

In the Basinwide Technical Plan, EPA has divided the cleanup project into five stages, each of which is envisioned as approximately five years of effort. The first stage includes ongoing EPA projects: EPA's investigations to date; implementation of the Richwood and Suburban Water Systems Bartolo Well Field projects, to protect public health where purveyors are unable to provide water that meets drinking water standards; and the Whittier Narrows project, which, combined with the Bartolo Well Field project, should control the spread of contamination through the Whittier Narrows area into Central Basin to the south. Stage II of the project includes those investigations and cleanup actions that EPA recommends as the highest priorities for completion now. Stages III through V outline future activities to be conducted in order of importance, based on what we know today. The plan eventually addresses every major area of volatile organic compound contamination within the San Gabriel Basin.

We expect that our understanding of the nature of the contamination and potential solutions will increase over time as further investigations and cleanup actions are implemented and additional data are collected through ongoing monitoring programs. Therefore, we have built into the framework of the Basinwide Technical Plan an opportunity to reformulate the plan. It is envisioned that at the end of the next stage (Stage II), and subsequent stages, conditions in the basin will be reevaluated, and the original recommendations for future stages will be reassessed. To illustrate this process, Stages III through V are described in the Basinwide Technical Plan based on assumptions of what we will learn as additional work in the basin is conducted. We expect that the plans for these later stages will be modified based on the actual data obtained during Stage II.

Because Stage II encompasses EPA's recommendations for actions during the next five years, and because it is expected that recommendations for Stages III-V will change based on information collected during Stage II, I will focus my remarks regarding specific components of the plan to Stage II.

Each stage in the Basinwide Technical Plan includes three components: selected cleanup projects called operable units; continuing remedial investigation activities; and continuing

ource investigations. In recommending priorities for cleanup actions, EPA considered four different factors:

1) Potential for water supply problems. Areas where large numbers of existing production wells are currently contaminated or are expected to become contaminated in the future were considered higher priorities, as were areas where EPA was aware of water purveyors already having difficulty in meeting their water supply demands due to contamination of their wells.

2) Levels of groundwater contamination. The use of groundwater for public water supply is especially hampered in areas with higher levels of groundwater contamination because it is less feasible to blend water from different wells to meet inking water standards.

3) Potential for the spread of contamination. Areas where there is a higher potential for the spread of contamination into presently uncontaminated areas were considered higher priorities.

4) Confidence in the extent of contamination. It is important to understand the extent of contamination to ensure that the cleanup actions implemented are appropriate and do not cause adverse effects, such as unexpectedly drawing contamination toward uncontaminated wells. Therefore, areas where we are more confident in our knowledge of the extent of contamination were higher priorities for early action.

Taking these four factors into account, EPA recommends the Baldwin Park/Azusa area as the location for the first cleanup

oject in Stage II. This is an area where many water supply wells have been taken out of production, where the highest contaminant levels in production wells have been found, where there is a high potential for the continued spread of contamination from this area toward wells currently used for water supply, and where we have a reasonable understanding of the areal extent of contamination. As described earlier, the focus of this cleanup project will be to extract and treat water from wells in the area of high-level contamination to provide an adequate water supply, begin to remove large amounts of contamination, and begin to reduce the spread of contamination within the area. It is not currently envisioned as the final anup project within this area.

The other cleanup project EPA has identified as a priority for Stage II is located at the mouth of the Puente Valley. The Puente Valley is the area of the basin where numerous sources of contamination have been identified and where the highest levels of contamination found in any monitoring well in the basin have been seen. The primary reason that this area is identified as a priority is that groundwater modeling indicates that a large center of groundwater production located to the northwest of this area of contamination is threatened by the spread of contamination from the Puente Valley. The purpose of this second cleanup project would be to limit the spread of high-level contamination toward this important area of grpundwater

:oduction. The cleanup action would probably involve installation of new extraction wells near the leading edge of the spreading contamination to capture the contaminants before they migrate to the existing production wells.

Stage II also includes several limited remedial investigation activities throughout the basin, such as sampling of existing wells in the valley and installation of a small number of new monitoring wells. Some of the investigation activities are designed to provide data necessary for the development and evaluation of cleanup action alternatives in the Baldwin Park/Azusa area and at the mouth of the Puente Valley. .her activities have been selected to fill key data gaps in areas where our knowledge of the contamination is limited. Information from these activities will assist in the planning of other cleanup actions in future stages of the project, as well as in identifying the sources of contamination in specific areas of the basin.

The third component of Stage II of the Basinwide Technical Plan is continuing source investigations and enforcement actions. The primary method of identifying sources is through the Regional Water Quality Control Board's Well Investigation Program. In this program, investigation areas are defined, an industry survey completed, inspections conducted, and facilities that are

potential sources are required to conduct investigations of their sites, including in many cases soil and groundwater sampling. Facilities are required to conduct soil and groundwater cleanup, as necessary, to control sources of contamination that are identified. EPA is providing $1 million annually to expand the scope of this state program so that sources may be identified more quickly. EPA will also conduct source investigations in particular areas. Source investigations will be conducted in areas where cleanup actions are planned so that by the time EPA is ready to implement a cleanup action, those parties responsible for the contamination have been identified. EPA can then use its enforcement authorities to require these parties to fund the necessary cleanup actions. In addition, once responsible parties are identified, EPA can attempt to recover its past costs of investigation and implementing earlier cleanup projects, such as the Richwood project, that were paid for with federal funds.

Six investigation areas have been identified as part of the Well Investigation Program: 1) City of Industry area; 2) La Puente area; 3) Whittier Narrows area, 4) the area in the vicinity of the Richwood water treatment facility; 5) the El Monte/South El Monte/Rosemead area; and 6) the Azusa/Baldwin Park area. These six areas cover potential source areas for contamination that is being addressed by the three Stage I cleanup actions (Richwood, Suburban Bartolo Well Field, and Whittier Narrows), as well as for the two planned cleanup

projects in Stage II (Baldwin Park/Azusa and the mouth of the Puente Valley).

As described earlier, as Stage II nears completion, a reevaluation of the recommendations of the Basinwide Technical Plan for Stage III activities should be conducted, based on a reassessment of conditions in the basin at that time and considering the information provided by Stage II investigations and cleanup actions.

As I previously stated, a coordinated federal, state, and local effort is necessary to adequately address this problem. EPA has been working with the State Water Resources Control Board, the Regional Water Quality Control Board and other state and local agencies to establish such an effort. In response to the San Gabriel "White Paper" and efforts by the State Board to encourage local participation in groundwater cleanup, the Main San Gabriel Basin Watermaster has prepared a "Technical Plan for Basin Ground-Water Cleanup." The focus of the Watermaster's plan is on the short-term installation of individual wellhead treatment facilities on existing wells that have been deactivated in the Baldwin Park/Azusa area of the valley. Eleven wells in this area are identified as candidates for treatment projects that would initiate the removal of contaminants in a timely and cost-effective manner. Construction of the entire list of possible projects would potentially remove a large amount of

c .tamination. Potential funding for the projects identified by Watermaster is unclear at this time.

The Watermaster technical plan is generally consistent with the EPA Basinwide Technical Plan. Implementation of the plan would shift production toward the highly contaminated area of Baldwin Park/Azusa, which was identified as the highest priority area for cleanup in the EPA plan. In the "White Paper," it was noted that cleanup will be enhanced if state or local funding could be found to initiate Stage II activities prior to EPA and the Regional Board identifying responsible parties and requiring them to implement cleanup actions. It would be a positive ('elopment if one or more of the projects identified by Watermaster are implemented with state or local funding prior to the completion of the EPA feasibility study for the Baldwin Park/Azusa area. It is important, however, to try to ensure consistency between projects implemented by Watermaster or other local agencies and potential larger-scale cleanup projects, such as those incorporating conjunctive use, which I will describe later. The estimated amount of contamination removed by implementation of the wellhead treatment projects identified by Watermaster is comparable to the estimated amount of contaminants removed by the conceptual Baldwin Park/Azusa operable unit in the Basinwide Technical Plan. An evaluation has not been conducted, h. ever, of potential effects on groundwater flow and contaminant

m. ,ration. These watermaster wellhead treatment projects would, however, be expected to have less effect on controlling the spread of contamination than the conceptual Baldwin Park operable unit because approximately 40% less groundwater is extracted, and, in general, a greater amount of extraction exerts greater effect on groundwater flow.

In summary, the real difference between the Watermaster technical plan and the EPA Basinwide Technical Plan is in the overall focus and scope of the plans. The Watermaster plan is primarily a short-term plan that focuses on quickly initiating removal of large amounts of contamination in the Baldwin : k/Azusa area. In contrast, the EPA Basinwide Technical Plan describes a comprehensive long-term approach toward meeting the objectives of controlling the migration of contamination and removing contamination to the extent feasible throughout the basin over the next several decades.

Public reaction to the Basinwide Technical Plan has been generally favorable. The public welcomes the release of a long-term plan and there appears to be widespread support for targeting Baldwin Park/Azusa as the highest priority for cleanup. Few detailed technical comments on the plan were submitted to EPA during the public comment period beyond comments submitted by the Watermaster. Some commenters described in general their desire for faster implementation of cleanup actions and increased EPA

f ling of cleanup actions. The sand and gravel industry was concerned about potential restrictions on the use of their industrial wells. The primary comment submitted by Watermaster and other representatives of the water purveyor community was their concern regarding the use of centralized treatment plants. They recommended the use of individual wellhead treatment facilities, such as those described in the Watermaster technical plan.

With respect to reaction to the Watermaster technical plan, a public hearing was scheduled by Watermaster for October 24, 1990 to receive comments on the plan. The only major reaction I has heard to date is from some members of the public who are concerned with the difference between Watermaster's approach of wellhead treatment to that described in the Basinwide Technical Plan.

Because the concept of wellhead versus centralized treatment appears to have become an issue, I would like to discuss this in some detail. There may be some misunderstanding that centralized treatment systems represent the essence of the Basinwide Technical Plan. This is not true at all. The primary theme of the Basinwide Technical Plan is that there needs to be a shift of production into highly contaminated areas to begin to remove co aminants and slow the spread of contamination in the basin.

It is the extraction, not the treatment, that controls the spread of contamination. Assuming you have the same shift in groundwater extraction, the question of centralized versus wellhead treatment comes down to a question of economics. Whichever option is cost-effective should be implemented.

In the Basinwide Technical Plan, EPA developed conceptual plans for operable units and estimated potential costs. Because we did not have detailed information on individual water purveyors' distribution systems, and we only wanted to investigate potential costs, we assumed the use of centralized treatment systems and then evaluated the result. Our evaluation showed that, in many cases, distribution costs can far exceed the costs of extraction and treatment. This was particularly true for the Baldwin Park operable unit due to the large area over which water was extracted and distributed to water purveyors. The conclusion from this analysis is that in the feasibility study for any operable unit, careful consideration must be made to develop alternatives that minimize the costs of necessary improvements to existing water distribution systems. The existing distribution system should be used to the maximum extent practicable, which in many cases, may be done if a more decentralized treatment system approach is used. The point is, this is an issue that should be the subject of detailed evaluation in a feasibility study.

For example, in scoping the Baldwin Park feasibility study, we have identified the following hierarchy of water distribution alternatives to examine:

1) Distribution of treated water to the same purveyor whose well is used for extraction through the purveyor's existing distribution system.
2) Distribution of treated water to a nearby purveyor from an existing interconnection between that purveyor and the purveyor whose well is used for extraction.
3) Distribution of treated water to a nearby purveyor (or another service area of the same purveyor) through a newly installed short interconnection.
4) Distribution to another purveyor that would involve installation of new extensive distribution lines.

Where distribution of water can occur through the first two options, and in some cases the third option as well, individual wellhead treatment facilities are likely to be a cost-effective option. If the last option must be used, then a well-located centralized treatment facility may be the cost-effective option.

In addition to the release of the Basinwide Technical Plan and the "White Paper," a number of other activities relating to both Stage I and Stage II of the project have been continuing or are being planned. I will briefly describe these activities. First, I will explain the status of Stage I activities.

Richwood Project. The carbon adsorption treatment system has been operating and providing drinking water to the approximately 200 families served by this system.

Suburban Water Systems Bartolo Well Field Project. The Army Corps of Engineers has recently completed the 30% design of this air-stripping treatment facility that will be able to treat up to 10,000 gallons per minute of contaminated water and provide drinking water to an estimated over 50,000 residents served by Suburban in the City of Whittier area. Design will be completed and construction of the system initiated in spring of 1991. Prospects for obtaining funding of this project are very good, as this project was identified as the number nine priority nationally for funding under EPA's remedial action priority ranking system.

Whittier Narrows Operable Unit Project. Work is continuing on revising the preliminary draft feasibility study. The revised feasibility study and proposed remedial action plan are scheduled to be released for public comment in spring of 1991. The Record of Decision selecting the remedy for this project to control the spread of contamination through the Whittier Narrows area is scheduled to be signed by the end of calendar year 1991.

In addition to these ongoing activities, EPA has obligated over $5 million to begin the remedial investigation and enforcement activities outlined in Stage II of the Basinwide Technical Plan. Activities that have been planned or have been initiated include:

Baldwin Park Operable Unit Remedial Investigation/Feasibility Study. Investigation activities to support development of the feasibility study have already been initiated. Wellhead sampling of existing wells began this month. Over the next few months, depth-specific sampling of four existing production wells will be conducted and a 1500-foot deep monitoring well will be installed in the middle of the area of contamination. Work on the feasibility study will begin in early 1991 when the data from these investigation activities are received. Assuming that there are no delays in obtaining the necessary data, the feasibility study should be completed and a proposed plan prepared in early 1992.

As part of the Baldwin Park feasibility study project, we have been working closely with the Metropolitan Water District of Southern California (MWD) as they begin their conjunctive use of the feasibility study project. We are discussing the formal coordination of our respective feasibility studies toward the objective of identifying a project that begins cleanup of the

B. Swin Park area, as well as potentially providing water supply benefits to the entire southern California region. In the Basinwide Technical Plan, the conceptual Baldwin Park operable unit involves extracting contaminated groundwater, treating it, and providing the treated water for local use. The conjunctive use concept would instead involve conveying treated water to MWD's distribution system for delivery to other areas of southern California. To balance the water supply of the basin, MWD would provide imported surface water supplies for groundwater recharge when they are available. Through planning of the rate and location of groundwater extraction in the contaminated areas and groundwater recharge in surrounding areas, the rate of spread of co. amination will be slowed.

Enforcement Activities. Much of our activity has been in the area of enforcement. EPA-funded source investigations are continuing at the Regional Board. As of this month, 238 facilities have been found to have confirmed soil contamination on site. Also, 179 groundwater investigations have been initiated or are being planned at different facilities under the Regional Board's direction. We have used information obtained from these Regional Board investigations, as well as other information obtained by our office to begin to identify potentially responsible parties. Over the last several months, over 100 general notice letters have been issued to potentially

sponsible parties throughout the basin. We expect that over a hundred additional general notice letters will be sent in early 1991.

Most of the general notice letters issued to date have been sent to parties associated with the approximately one-square mile Azusa/Irwindale Study Area. The Azusa/Irwindale study area is one of the many dozens of locations of potential sources of contamination in the larger Baldwin Park/Azusa area, which is identified as the top priority for cleanup in the Basinwide Technical Plan. During June and July of this year, EPA operated the Responsible Party Identification Hotline to encourage citizens to provide information about potential hazardous waste disposal activities in the Azusa/Irwindale Study Area. EPA is currently conducting follow-up investigations based on information received from this program. EPA intends to issue special notice letters to parties associated with the Azusa/Irwindale Study Area before the end of the year. The special notice letter recipients will be a subset of those parties who have already received general notice letters. Negotiations are expected to begin in early 1991 to get the potentially responsible parties to conduct an investigation of potential sources of contamination within this study area and a feasibility study of potential cleanup alternatives. Assuming successful negotiations, a remedial investigation and feasibility study for this area will begin by summer 1991.

By the time that a proposed plan for the Baldwin Park operable unit is released for public comment in early 1992, we hope to have identified numerous potentially responsible parties in the larger Baldwin Park/Azusa area through the Regional Board's source investigation program and through EPA's Azusa/Irwindale Study Area investigation. At that time, we intend to issue special notice letters and enter into negotiations to develop an agreement with the potentially responsible parties to implement the selected remedy for the Baldwin Park operable unit.

The other major activity identified as part of Stage II of the Basinwide Technical Plan was a second operable unit located near the mouth of the Puente Valley. As of this time, we do not have a schedule for initiation of the feasibility study for this operable unit. This will depend on the available funding in the budgets for Fiscal Year 1992 and subsequent fiscal years.

In summary, much progress has been made to address this problem over the last year, but much remains to be done by EPA, as well as other involved agencies. I thank you for the opportunity to provide these comments, and I would be glad to answer any questions you may have regarding my testimony or EPA's management of the San Gabriel sites.

HEARING ON SAN GABRIEL GROUNDWATER CONTAMINATION

ENVIRONMENT AND LABOR SUBCOMMITTEE
OF THE COMMITTEE ON SMALL BUSINESS
U.S. HOUSE OF REPRESENTATIVES

OCTOBER 30, 1990

COMMENTS SUBMITTED BY THE
STATE WATER RESOURCES CONTROL BOARD

Good morning Chairman Torres and Subcommittee Members. I am Archie Matthews, Chief of the Regulatory Support Unit within the Division of Water Quality and Water Rights. On behalf of the State Board Members, I thank you for the opportunity to testify before your Subcommittee regarding the groundwater contamination in the San Gabriel Basin (Basin).

Representative Torres' September 27, 1990 invitation letter to Chairman Maughan asked that we discuss the two technical plans developed to implement cleanup of the Basin. These are the U.S. Environmental Protection Agency's (EPA) Basinwide Technical Plan and Watermaster's Technical Plan. These plans, while similar in some respects, offer somewhat different approaches to cleanup. I would like to briefly discuss and contrast these plans.

The EPA Basinwide Technical Plan would establish several operable units within the Basin and would rely on aggressive pumping of groundwater from highly contaminated areas such as Azusa/Baldwin Park, as well as down-gradient from contaminant plumes such as at Whittier Narrows, in order to ensure containment of the plumes within the Basin. ("Aggressive" pumping implies groundwater extraction from both existing and new wells, at rates exceeding those normally needed to meet local demand.) Pumping would be followed by appropriate water treatment and subsequent distribution within or outside the Basin. These actions are intended both to provide a safe and sure supply of potable water while reducing the risk of spreading high concentrations of volatile organic compounds (VOCs) to uncontaminated areas.

The Watermaster Technical Plan for the short term emphasizes wellhead treatment of groundwater pumped from the most contaminated areas in the Basin. This Plan advocates pumping and treating some of the same wells designated in the EPA Plan but does not emphasize the extensive, controlled pumping to limit the spread of VOCs that is the cornerstone of EPA's Basinwide Technical Plan. The Watermaster Plan would provide potable drinking water to the Basin, but does not directly address the equally important issue of controlling plume migration. The Watermaster's long-term plan would rely on conjunctive use as proposed by the Metropolitan Water District to contain the contaminant plumes. Metropolitan Water District, in cooperation with a Joint Powers Authority of three water districts in the Basin known as the Main San Gabriel Basin Water Quality Authority (Authority), is studying the feasibility of conjunctive use whereby surplus imported surface water would be recharged when available into currently unused basin storage capacity (above historical levels) with subsequent extraction, and treatment of other contaminated groundwater in the basin for consumption or export.

While the conjunctive use approach is similar to the EPA approach of controlled pumping, the economic and technical feasibility of conjunctive use is just now undergoing pilot scale evaluation. Watermaster's suggestion that conjunctive use may significantly reduce or eliminate the need for certain EPA operable units may be overly optimistic. A more plausible scenario would be the integration of the EPA major pumping centers (or operable units), with the surplus water recharge envisioned in the conjunctive use proposal. We recognize that if surplus water is not available or the costs are too high, conjunctive use will not occur.

We support the Metropolitan Water District's conjunctive use study in cooperation with the Authority and the California Department of Health Services (DHS). Additional measures beyond the currently planned 100 gallon per minute pilot plant should be encouraged. Within the next year, there is a need for a large-scale demonstration project that would provide information on treatment costs and benefits, and contribute to cleaning up part of the most contaminated areas of the Basin.

It is important that any significant differences in approach or operating principles between the EPA Basinwide Technical Plan and the Watermaster Technical Plan be resolved to ensure that all responsible agencies at the Federal, State, and local levels are coordinating their limited resources to achieve common goals as soon as possible.

Concerning the community reaction to the EPA Basinwide Technical Plan and Watermaster's Technical Plan, the entities best qualified to comment on this would be EPA and Watermaster.

We were also asked to comment on the implementation of Phase II cleanup as discussed in the April 17, 1990 White Paper issued by the State Board, EPA, and the Los Angeles Regional Water Quality Control Board (Los Angeles Regional Board). As you may know, Watermaster has petitioned the Los Angeles County Superior Court to expand its authority to regulate pumping in the Basin. This authority should provide Watermaster, working in cooperation with the Authority, with the necessary powers to implement the cleanup. As of the date this testimony was prepared, this expanded authority had not yet been granted by the Court, but a decision is imminent. Should the requested authority be granted, Watermaster and the Authority should be given a reasonable amount of time to demonstrate their commitment and ability to implement cleanup within the Basin. However, should the expanded authority be denied, or should the entities not demonstrate sufficient progress within a reasonable time period (for example, six months), the State Board would support new legislation during the 1991 session to establish a single, local lead agency to effect cleanup.

Two possible changes in State law could assist in cleanup: The first change would amend the Municipal Water District Act to provide that such districts are empowered to:

(a) Regulate the extraction of groundwater to protect water quality;
(b) Implement judicial decrees regulating the use of surface and groundwater; and
(c) Charge pumpers for the costs of administering (a) and (b).

The second change would encourage "good citizen" parties to contribute voluntarily "up-front" resources for cleanup by providing that potentially responsible parties can contribute money to government for cleanup of contaminants with no admission of liability; contributed money could be used as an off-set against governmental actions wherein the contributor is found to be liable for the costs of contaminant cleanup.

At this time, persons that might want voluntarily to mitigate current problems have no assurance that their contributions could be used to offset any future claims. This change would provide for such an offset mechanism. Federal Superfund Law might have to be amended to accommodate such a change.

The last question we were asked to discuss concerns the funding schedule for cleanup implementation. The State Board has recently allocated nearly $3 million in financial assistance to the Authority to design, construct, and operate a treatment plant in the most contaminated area in the Basin (Azusa/Baldwin Park). We have also learned that the Governor signed AB 3061 into law last month, which will provide $1.1 million for additional treatment plants in the Basin.

We envision that future funding for cleanup activities will have to be met from a variety of sources. In addition to State and Federal loans and grants, responsible parties must become an increasing part of the financial solution. The problem is one of timing. Over $100 million must be obtained to implement Stage II of EPA's Basinwide Technical Plan over the next few years. EPA is currently augmenting the budget of the Los Angeles Regional Board by $1 million annually to identify these responsible parties. Yet another possible source of funding is AB 1312, now an initiative (Proposition 148) on the November 6, 1990 ballot. This "Water Bond Act of 1990" would provide for $60 million in loans or grants for design and construction of projects deemed eligible by DHS for public water systems to meet safe drinking water standards. This initiative would also provide $20 million to the State Board for groundwater treatment facilities, with preference to projects that treat groundwater containing agricultural chemicals. Projects designed to treat San Gabriel groundwaters containing nitrates could be eligible for this potential funding. The State Board also administers the Federal Clean Water Act State Revolving Fund, which provides low-interest loans to remediate nonpoint source contamination. We envision that up to $5 million per year might be made available for San Gabriel projects from this source. The State Board will consider future proposals as additional revenues become available.

Other recently passed legislation (SB 2016, Cecil Green) could provide a model for local funding. This bill, which is effective January 1, 1991, expands the existing authority of a water replenishment district to levy a water replenishment assessment, and authorizes the raising of funds (up to 50 percent of the average assessment levied over the past five years) to remove contaminants from groundwater supplies of the district. The bill also authorizes the district to recover costs incurred for those purposes from responsible persons. Firm sources of cash, including local assessment, are absolutely essential to support an active cleanup program. The importance of

such funds is recognized in the October 4, 1990 Mission Statement of the Authority which states, "...In the long term, capital and operating costs will have to be incurred to accomplish cleanup objectives. The costs will far exceed the ability of local consumers to pay, although it seems inevitable that some portion of the costs will be borne locally (emphasis added)."

On October 3, 1990, the San Gabriel Basin Watermaster voted five to one to endorse all of the operational proposals in the White Paper. The Los Angeles Regional Board is taking steps to incorporate these actions into its Basin Plan with a mandatory schedule of compliance. The Los Angeles Regional Board will hold a public hearing on this amendment in January 1991. These actions offer hope that the necessary steps will be taken to ensure that comprehensive information sharing, planning, and ultimate cleanup of the Basin groundwater will occur as expeditiously as possible.

On behalf of the State Board, I thank you for the opportunity to comment on this important issue.

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Progress Towards Cleanup of the Main San Gabriel Basin*

October 30, 1990

VOC contamination was discovered in the Basin in December 1979 in the Morada Well.

In May of 1984, four broad areas of contamination in the Basin were listed on the U.S. Environmental Protection Agency (EPA) National Priorities List--Superfund.

"Subsequent quality sampling has shown that VOC contamination is pervasive throughout much of the San Gabriel Basin." (EPA, 4/17/90, p.1-1)

From 1984 until about mid-1989, it was the understanding of the local interests that EPA would construct and operate cleanup facilities in the Basin and that EPA and the State would pay all capital and operation and maintenance cost for each facility for at least the first 10 years of operation. The costs would be shared 90% by EPA and 10% by the State.

After the first 10 years of operation, the facilities would be turned over to local public entities to own and operate. Presumably, the local interests would then begin the funding of operation and maintenance.

In about mid-1989 (July 7, 1989 EPA Draft Technical Basinwide Plan), EPA first formally announced that it would pursue enforcement funding.

With publication of the "White Paper" in April 1990 it became evident that local interests were expected to fund a major portion of the Basin cleanup.

The Main San Gabriel Basin Watermaster, Upper San Gabriel Valley Municipal Water District, San Gabriel Valley Municipal Water District and Upper San Gabriel Valley Water Association adopted a Joint Resolution in February 1989 which declared their firm resolve to protect the quality of water in the Basin and designated Watermaster to coordinate local involvement in federal, state and regional efforts to preserve and restore the quality of water in the Basin. That resolution recognized that Watermaster may request producers to pump or not to pump particular wells in order to influence the movement of contaminated groundwater and to avoid the spread or migration of contaminated water to new areas within the Basin or outside of the Basin.

* **Presentation by Main San Gabriel Basin Watermaster for Field Hearing by U.S. House of Representatives, Committee on Small Business, Subcommittee on Environment and Labor, Baldwin Park, California.**

Presented by: **Linn E. Magoffin, Chairman, Main San Gabriel Basin Watermaster**
Thomas M. Stetson, Engineer, Main San Gabriel Basin Watermaster.

Watermaster petitioned the Court on June 18, 1990 to acquire the power to control ground water production for water quality protection purposes. The Court held a hearing on that petition on July 31st, but has not yet granted such power to Watermaster.

The Joint Resolution envisioned that the municipal water districts (or a Joint Powers Authority of the municipal water districts) would operate and maintain EPA cleanup facilities; and that Watermaster would contract with the districts or the authority and/or pay costs associated with the operation and maintenance of EPA facilities.

Through the Main San Gabriel Basin Water Quality Authority--a Joint Powers Authority--(JPA), which was formed on August 1, 1990, and Watermaster, funding was acquired from the State Water Resource Control Board, Cleanup and Abatement Account, in August 1990 to construct the Arrow Wellhead Treatment Plant. It will be constructed in 1991.

Although much time and money has been expended by EPA on studies, funding of facilities has been inadequate.

Richwood Mutual:
- EPA began evaluation 1983.
- Completed design and began construction 1988.
- Began operation April 1990.

Bartolo Well Field Operable Unit:
- Feasibility study completed June 1988.
- Record of decision September 1988.

EPA 7/7/89	"Design currently underway with construction to start in late 1989." It is now late 1990 and design is not completed.
EPA 4/17/90	"Design underway with construction to start in early 1991." Design is now reportedly 30 to 60 percent completed.

Whittier Narrows Operable Unit:
- Feasibility study 1989.
- No record of decision yet.

Source investigations need to be accelerated so that we can identify and locate any current and past sources of contamination. EPA should continue remedial investigations and feasibility studies. EPA in pursuing enforcement funding, should strive for fair settlements as opposed to Court judgments. It is our understanding that monetary awards through Court judgments are deposited in the federal Superfund and would not necessarily be allocated to San Gabriel Valley.

EPA released its Public Review Draft of a Basinwide Technical Plan (BTP) on April 17, 1990.

Watermaster's draft plan for cleanup of the Basin has been available for review since early September 1990. A public hearing on that plan was held by Watermaster on October 24, 1990.

The Watermaster Plan actually varies little from the EPA BTP. The Watermaster Plan essentially identified the same high-priority wells that were identified in the EPA BTP. The BTP is conceptual and not designed for direct implementation. The BTP suggests constructing regional treatment plants and extensive pipelines to transport and treat ground water in its Stage II. The Watermaster Plan focuses on using essentially the same wells (currently shut down) and constructing treatment facilities at the site so that the well can be restored to service.

EPA plans initial cleanup in the Baldwin Park/Azusa area, the same as Watermaster, but the EPA plan includes two large centralized treatment plants which include expensive water transmission systems. One system brings water from contaminated wells to the plants for treatment. The other system takes treated water to the vicinity of usable wells which EPA would shutdown as a substitute water supply for the wells that are shutdown.

Watermaster's proposed plan targets 11 wells for individual wellhead treatment in the Baldwin Park plume area. The combined pumping capacity of those 11 wells is about 22,700 gallons per minute (gpm), or about 50 cubic feet per second (cfs). This is about 85 percent of the total pumping capacity of EPA's proposed Operable Unit 5CDGFIJ. EPA has included three wells which, although contaminated in the range 38 to 48 ppb in past years and at the time of the EPA study, now show relatively low contaminant levels--non-detectable, 2 ppb and 20.7 ppb.

Eliminating those wells from the EPA proposed operable unit would reduce the total capacity of the EPA unit to 20,150 gpm, or to a total capacity of about 89 percent of the total capacity of the 11 wells selected by the Watermaster.

Another significant difference between Watermaster's plan and the EPA plan is that EPA proposed to reduce production from or shutdown many usable wells in order to substitute the supply of treated water for the supply from the shutdown wells and to control migration of the plumes. Watermaster's plan does not propose to shutdown usable wells to attempt to control plume migration at this time. Watermaster feels that this step requires more study and monitoring results of the individual wellhead treatment plants. The results of the individual wellhead treatment will be monitored, including quality analyses at surrounding wells and input of the resulting information to the EPA data base and basin model. Analysis of the results of this additional monitoring data and model runs should supply information from which decisions can be made as to the need for controlling pumping from usable wells.

For the present, it is Watermaster's view that usable wells should not be shutdown because: (1) an alternate source of water supply must be available at reasonable cost; (2) producers need to extract water from clean (or cleaner) wells to have water with which the water from moderately contaminated wells can be blended to supply a safe source of potable water; and (3) the results of experience with large capacity wellhead treatment may indicate that migration can be controlled without shutting down wells.

Watermaster reviewed and submitted comments on the EPA BTP. The BTP presents a conceptual plan "considered more general and broad in scope than a feasibility study or design-level document." (p.1-1) EPA concluded that implementation of an aggressive, intensive basinwide remediation program could cost up to $800 million and take up to 28 years. (p. 3-5) The remedial investigation/feasibility study to support the more complete restoration approach could cost up to $50 million and take up to 10 years (p. 3-5)

EPA then developed a strategic approach dividing the Basin into seven areas and establishing priorities for operable units. The first priority for remediation (called Stage II by EPA) would be in the Azusa-Baldwin Park area (5CDGFIJ) and near the mouth of Puente Valley (5W).

EPA's Operable Unit 5CDGFIJ involves a total project cost of $53 million or $91 million, depending upon which of EPA's alternatives is finally selected. Most of that cost involves water distribution systems, 70 percent to more than 80 percent of the total project cost. The reason for this is that under the EPA plan wells that are now usable would be shutdown or reduced in production and wells that are now inactive would be activated. This requires large costs to construct pipelines from the reactivated wells to transport the untreated water to the two centralized treatments plants and other pipelines to transport the treated water to the service areas of the wells that are to be shutdown.

Under Watermaster's plan individual wellhead treatment plants would be installed at most of the same inactive wells selected by EPA and the treated water would be taken, generally, into the systems formerly served by those wells. This may involve shutting down wells that serve that same system or, in some cases, reducing deliveries of imported water to that system.

As previously mentioned, 11 wells are targeted in the Azusa-Baldwin Park area in the Watermaster plan. Eight of those wells were included among the 13 wells in the EPA OU 5CDGFIJ. The other five wells in that operable unit were not included because more recent quality analyses indicate that the contamination has declined substantially in three of those wells; one of the wells now has treatment facilities; and one well has a relatively low pumping capacity.

Under the Watermaster plan the total project costs are estimated to be about $10 million to $15 million, considerably less than the EPA BTP because it eliminates the substantial distribution system costs.

The plants to be constructed under the Watermaster plan will be designed to be portable. That is, as the water is cleaned up to acceptable limits, the plant can be disassembled and moved to another site. The Watermaster plan is flexible and does not rule out centralized plants. It defers such plants until information can be obtained from the initial wellhead treatment plants to determine whether or not they are cost effective.

In addition, the Metropolitan Water District of Southern California (MWD) is now engaged in the second phase of determining the feasibility of a large conjunctive use operation as a means of enhancing its water supply while at the same time improving water quality in the Basin. This plan would import and recharge large quantities of uncontaminated water to the

Basin in the general vicinity of the Azusa-Baldwin Park plume. It would include large extraction and treatment facilities which would then deliver the water to its large feeder pipelines to be used outside of the Basin, in large part. Annual extractions and treatment are expected to be on the order of 50,000 to 100,000 acre-feet per year.

If the conjunctive use project proves to be feasible it will probably eliminate the need for the EPA OU 5CDGFIJ. The conjunctive use program would import large quantities of uncontaminated water which would blend in storage with the contaminated water of the Basin. As it is extracted, treated and exported from the Basin it will be treated to remove large quantities of contaminants and also have a flushing effect on that part of the Basin which should release contaminants from the alluvial formations.

In connection with its conjunctive use study, MWD has retained CH2M Hill, the firm that has been and is now conducting the technical studies in the Basin for EPA. We have been informed that MWD and CH2M Hill have found through their modelling analyses for the conjunctive use study that extracting and treating large quantities of water from the plume area results in control of migration of the plume without shutting down wells near the leading edge of the plume. This is valuable information that would indicate that individual wellhead treatment in the center of plumes at large volumes could control migration. With Watermaster's plan to install about 10 wellhead treatment plants in the plume area over the next few years, the monitoring of results of those operations will hopefully verify the results of the recent CH2M Hill modelling analysis.

The Watermaster plan is in two phases--Short-term and Long-term.

Short-term (about 5 years) will involve individual wellhead treatment at wells in higher contaminant area of Baldwin Park/Azusa that were shutdown due to high concentrations.

The first plant will be the Arrow Well of Valley County Water District, financed largely with State funding. It will be constructed in 1991. We are now obtaining samples of current water quality in the area; conducting model studies to determine how treated water from the plant will be integrated into the VCWD system; and conducting an environmental assessment of the project. VCWD will shutdown one or two wells now being used and substitute the treated water into its system.

The Watermaster plan differs from the EPA plan in that it looks to individual wellhead treatment as the initial phase rather than large centralized plants as proposed by EPA.

The EPA plan and Watermaster plan both address the same objectives.

Watermaster will evaluate each well targeted for treatment to determine its feasibility and to determine how and where the treated water will be utilized.

Watermaster will evaluate the results of its plants over the short-term to determine if centralized plants could be more cost effective and whether it is necessary to shutdown usable wells to control migration for the longer term.

Also, if the MWD Conjunctive Use program proves to be feasible after its study is completed (1991-92), MWD may construct large centralized plants in the same general area and this would probably eliminate the need for the EPA proposed regional plants in the Baldwin Park area.

Watermaster will implement its plan in cooperation with the recently organized Main San Gabriel Basin Water Quality Authority (JPA). Watermaster plans to incorporate all plants, EPA, JPA, individual producers, responsible parties, conjunctive use, etc., into one coordinated cleanup plan so that monitoring of accomplishments and operation of the basin model can be used to effectively carry out the cleanup of the Basin in the most efficient and cost effective manner. Watermaster will work with the Regional Water Quality Control Board (RWQCB) and EPA to incorporate the Basin Cleanup Plan into the Regional Board's Water Quality Control Plan (Basin Plan) under the Porter-Cologne Water Quality Control Act.

Watermaster, as part of its technical plan, will cooperate with the RWQCB, EPA and others in investigating sources of contamination to control and abate existing contamination sources and prevent future sources of contamination. This will include collection of data to support further evaluation of the contamination problem, to develop plans for control and removal of contamination, and monitoring the achievements of all cleanup facilities in the Basin Watermaster will continuously review the results of cleanup efforts under its technical plan and use those results in evaluating the feasibility of future treatment, containment and conjunctive use operations.

The Coupled Fluid, Energy and Solute Transport (CFEST) model developed by EPA will be utilized by Watermaster to monitor and evaluate the results of wellhead treatment and to evaluate the need for future treatment plants in the larger plume areas. Watermaster now has the data files for the Basin model and the hardware needed to utilize the model. As additional data are developed through the ongoing studies by EPA and the results of individual wellhead treatment, the model can be modified as necessary, updated and used with more confidence in developing future treatment facilities. Evaluations can be made of the most economical and most efficient manner of addressing the larger and more highly concentrated contaminant areas.

Because EPA plans to continue its remedial investigation work in the high priority Area 5, it will not be feasible to evaluate the need for a specific centralized treatment plant for that area until about 1992-93. EPA indicates that it is essential to accomplish those additional studies before installing that operable unit. Also, the results of the MWD conjunctive use study will be an important consideration for that area. Results of the operations of treatment facilities during the short-term will be evaluated and given consideration in planning for all treatment facilities to be operated during the longer-term.

Individual wellhead treatment will be continued throughout the **Long-Term Plan** wherever determined to be feasible by Watermaster.

Watermaster will continue to cooperate with the RWQCB, EPA and responsible parties in expediting the process of cleanup of contamination for each responsible party that develops facilities for such cleanup. Watermaster will include all such facilities in its Basin Watermaster

Cleanup Plan and monitor the accomplishments of such facilities.

Assuming that the MWD conjunctive use program proves feasible and becomes operable, it would become part of the Basin Water Cleanup Plan. It is assumed that the water treatment facilities of the conjunctive use operation would be owned and operated by MWD. All necessary data relating to water quality, quantity and amount of contaminants removed would be furnished to Watermaster for its continuing quality monitoring program and evaluation of the results of the conjunctive use operation. All conjunctive use operations will be coordinated through Watermaster in accordance with the terms of the Basin Judgment.

It is anticipated that there will be continuing studies by RWQCB, EPA, MWD, Watermaster and others during the life of the cleanup and containment operations. Watermaster will continuously study accomplishments of the cleanup program, and carry out investigations to improve and expedite the cleanup plan wherever feasible.

EPA's April 17, 1990, public review draft of the Basinwide Technical Plan, at page 4-28, states: "The current level of knowledge of hydrogeologic conditions is considered inadequate to institute ambitious remedial actions at an early stage, particularly in Areas 5 and 6..." Therefore, the operable units described in the EPA report should be reevaluated after EPA completes its additional investigations and the MWD conjunctive use study is completed.

Continuous monitoring of Basin water quality and of the achievements of all operating water treatment facilities will assist in the evaluation of the effectiveness of the Basin Cleanup Plan and in the development and location of additional treatment facilities.

It is our understanding that the RWQCB is preparing legislation to protect parties responsible for contamination (PRPs) from bankruptcy. Watermaster would support such legislation as a means of expediting cleanup. Bankrupt polluters will adversely impact the cleanup program and will adversely impact the economic base of San Gabriel Valley.

Watermaster sees no need for the legislature to attempt to create a new public agency for Basin cleanup. This would delay the process and create another unnecessary layer of government.

Watermaster also sees no need for legislation to grant ground-water production assessment powers to municipal water districts overlying the Basin. Watermaster has always had those powers, and exercises those powers under the Court Judgment. Granting such additional powers to the municipal water districts would simply be doubling up on the assessments levied on the water producers and increasing costs to all water users in the Basin.

Watermaster's Basin Water Quality Management Committee met on September 25, 1990 to discuss the White Paper requests for information to be supplied by Watermaster and Basin Producers. At that meeting, the committee reviewed a letter from Dr. Ghirelli dated September 24, 1990, addressed to Watermaster and listing items that will be Watermaster's responsibility in the RWQCB's basin plan amendment. It is a rather long list, based upon items identified in the White Paper. The committee approved in principle the supplying of the information requested based upon Watermaster staff and Regional Board staff working out the details for the information submittals.

Much of the information is readily available, but some will require considerable effort and cost and some may not be available. For example, the depths or zones from which water is produced by each well is certainly not readily available. But through meetings with the RWQCB staff it is expected that agreement can be reached on the information that can be made available immediately and a schedule developed by which other data can be made available.

Statement by The Metropolitan Water District
of Southern California

My name is Kris Helm. I am the project manager for Metropolitan's Conjunctive-Use study in the Main San Gabriel Basin. Metropolitan appreciates the opportunity to appear before this committee.

As you know, Metropolitan is a public agency charged with the responsibility of serving supplemental water to the 14 million people living in the Southern California Coastal Plain extending from Oxnard to the north; and south to the Mexican Border. We own and operate the Colorado River Aqueduct and are the largest contractor for State Project water from the California Aqueduct.

We have two member public agencies that service areas overlying the basin. Namely, Upper San Gabriel Municipal Water District and Three Valleys Municipal Water District, both of which are part of the Basin Water Quality Authority Joint Powers Agreement.

Metropolitan has a stake in the basin and thus a legitimate need to be involved in the planning of solutions for contamination. First, any loss of water supplies by the water purveyors within Metropolitan would result in an increased demand on Metropolitan's imported supplies. Second,

the basin's tremendous storage capacity allows Metropolitan the opportunity to deliver the existing supplemental water demand in the form of groundwater replenishment deliveries made to the basin at times when water and delivery capacity are available. This supplemental water is held in the basin's storage and pumped from the basin to meet consumers needs in the summertime and in dry years when the need is the greatest. This affords Metropolitan the opportunity to serve the limited imported supplies that are available in drought years and summer months to other areas of Southern California, while the water from storage in the basin meets the needs in the San Gabriel Valley.

The loss of any part of the basin would be detrimental to Metropolitan and indeed detrimental to the State of California.

Currently, we are working with the Upper San Gabriel Valley Municipal Water District, Three Valleys Municipal Water District, San Gabriel Valley Municipal Water District and the Main San Gabriel Basin Watermaster on a conjunctive-use study in the Main San Gabriel Basin. The U.S. Environmental Protection Agency is cooperating in the study.

The concept behind conjunctive use is to make even greater use of the basin for the storage of imported water. Additional water would be stored in the basin in wet periods and greater quantities of water would be pumped from the basin in dry periods. Pumping operations for a conjunctive-use project would occur in contaminated areas of the basin and the water would be treated to remove contamination. The coordination of pumping and recharge would be designed to remove highly contaminated water from the basin and shrink areas of contamination. The proposal would be implemented only as a part of an overall contamination remedy plan. It is referenced as a part of a potential long-term remedy in both the Watermaster Technical Plan and the EPA Basinwide Technical Plan for cleanup.

The potential storage development that a conjunctive-use plan affords would be valuable to Metropolitan. To the extent justified by the direct benefits to Metropolitan, Metropolitan may participate in the costs of conjunctive-use facilities including extraction wells and treatment plants to restore contaminated groundwater.

I would be pleased to answer any detailed questions by the committee members regarding the conjunctive-use feasibility

study and its relation to the U.S. EPA and Watermaster technical plans for cleanup of this important water resource.

KHSTATE

CONGRESSMAN TORRES HEARING - Wednesday 10/30/90

I am Jim Norman, Carrier Corporation, and wish to underline several critical issues regarding the San Gabriel Basin groundwater cleanup.

As I stated at the Watermaster hearing last week, the inability of interested parties to get the required input information for the CFEST computer model is serious. EPA and its consultant, CH_2M Hill, have made a number of assumptions and modifications to the program. Without this information neither the Watermaster nor other interested parties are able to check the plume configurations. Many of the statements being made currently about the plumes and contaminant transport have to be taken on faith rather than engineering facts.

We also believe that statements made about the lack of information on the Puente Valley groundwater are overstated. The Regional Board and a number of consultants have substaintial amounts of waterquality data over a long period of time. Monitoring and extraction wells are located at the geological "narrows" in the Puente Valley which gives accurate and real time information for a major part of the water flowing through the Puente Valley.

We believe that the EPA and Watermaster plans are very similar in concept at this point and recommend that the JPA and the Watermaster proceed post haste with well head treatment to attain positive remediate action without multi-years of delay for more studies. Any Superagency legislation would cause further delay in remediation, be very costly and redundant and cause confusion as to the status of current positive remediation action. EPA will probably always be in an oversight capacity - so any new agency would only be a mirror image of currently existing state and local regulatory organizations.

The goal is to implement remediation now not later.

EAST VALLEYS ORGANIZATION
4428 N. Stewart Baldwin Park, CA 91706 (818) 338-9965

STATEMENT OF JESSE MARTINEZ, CO-CHAIR EVO TOXIC TASK FORCE

CONGRESSMAN TORRES,

WE HAVE ATTENDED A LOT OF HEARINGS LATELY--HEARINGS BY SENATOR ART TORRES, ASSEMBLYWOMAN SALLY TANNER AND TODAY, YOUR HEARING.

THESE HEARINGS MUST LEAD US INTO ACTION!

THE EPA IS TAKING A LONG, LONG TIME TO IDENTIFY THE POLLUTERS. IF THEY DON'T SPEED UP THIS EFFORT WE WILL END THE DECADE THE SAME PLACE WE ARE NOW. WE URGE YOU TO LIGHT A FIRE UNDER THE FEET OF THE EPA.

EVO WILL HOLD A "TIME FOR ACTION" ASSEMBLY IN EARLY DECEMBER. AT THAT ASSEMBLY WE WANT TO KNOW HOW THE 20 MILLION DOLLARS BFI GAVE THE STATE WATER BOARD WILL BE USED. WE WANT TO KNOW WHERE WATER CLEAN-UP PROJECTS WILL BE BUILT AND WHEN THEY WILL BE BUILT. WE ASK THAT YOU CONVENE A MEETING WITH EVO, THE STATE AND REGIONAL WATER REPRESENTATIVES, ASSEMBLYWOMAN TANNER AND THE EPA, IN YOUR OFFICE TO HAMMER OUT WHERE AND WHEN PROJECTS WILL BE BUILT. JEFFREY ZELIKSON OF THE EPA HAS ALREADY AGREED TO HELP US IDENTIFY THE BEST LOCATIONS. IF WE DO THIS WE CAN INFORM THE HUNDREDS AND HUNDREDS OF RESIDENTS IN DECEMBER THAT ACTION IS BEING TAKEN AND THAT THESE HEARINGS CAN GET RESULTS.

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4428 N. Stewart Baldwin Park, CA 91706 (818) 338-9965

STATEMENT OF LOURDES PEREZ, EVO CO-CHAIR TOXICS TASK FORCE

CONGRESSMAN TORRES,

EVO HAS A SIMPLE MESSAGE TODAY. STATE SENATOR CHARLES CALDERON IS PUSHING A WATER TAX ON THE TAXPAYERS AND I KNOW YOU DON'T AGREE WITH THAT --

YOUR SUPPORT IN OUR EFFORTS TO GET THE EPA TO CLEAN-UP OUR WATER DOESN'T REFLECT THAT. WE NEED FOR YOU TO TELL :

1. SENATOR CALDERON TO FORGET IT!

2. EPA TO SPEED THE PROCESS OF CLEAN-UP BY IDENTIFYING THE POLLUTER NOW NOT LATER.

WE KNOW IT CAN BE DONE, LOCKHEED IS PAYING MILLIONS IN SAN FERNANDO VALLEY, AEROJET IN SACRAMENTO. THE POLLUTERS MUST PAY.

THE TAXPAYERS DO NOT NEED TO BE BURDENED WITH THIS TAX: THEY'RE THE VICTIMS -- CRIMINALS MUST PAY, NOT VICTIMS.

EVO REPRESENTS 40,000 FAMILIES IN THE SAN GABRIEL AND POMONA VALLEYS AND I AM HERE TO TELL YOU THESE PEOPLE SAY TO SENATOR CHARLES CALDERON'S WATER TAX, NO WAY!!